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MINUTES
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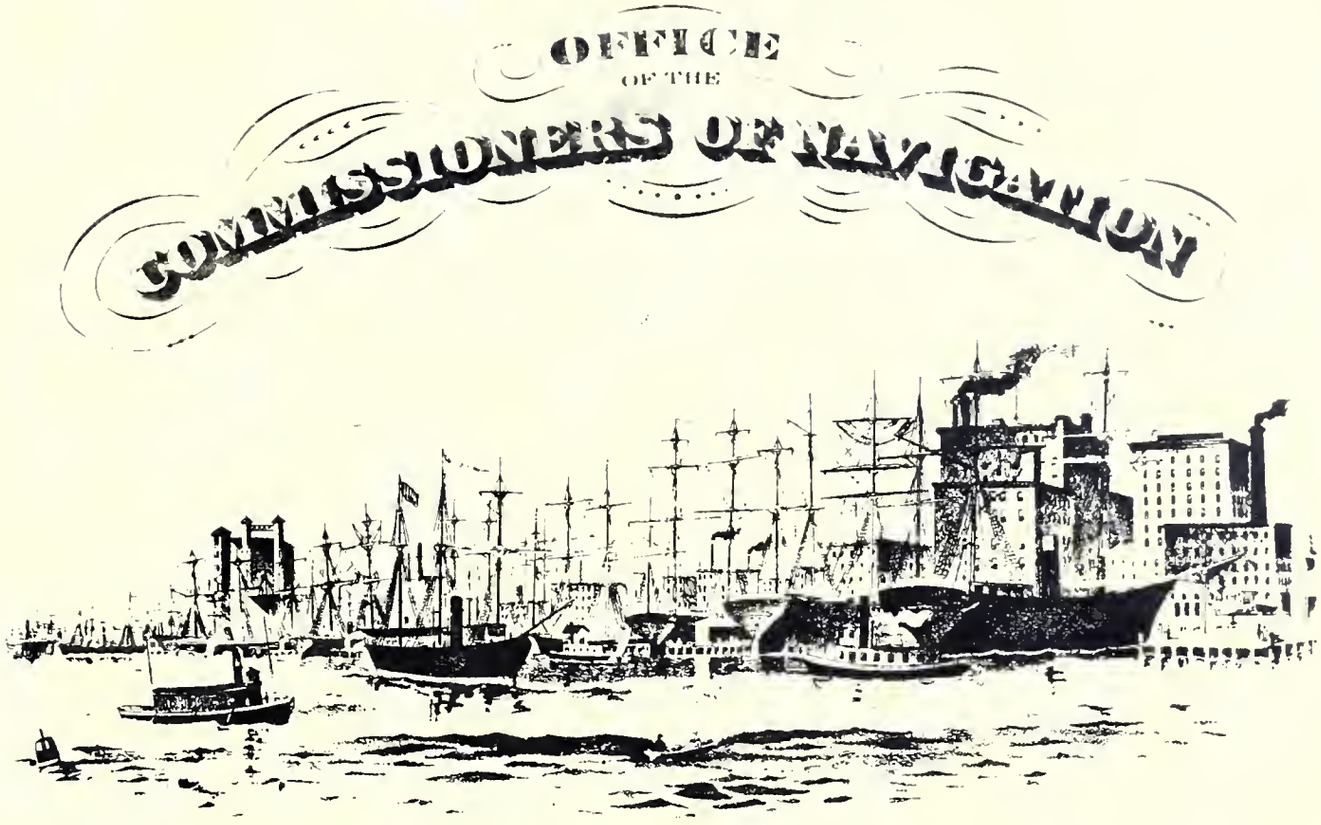

MINUTES

OF THE

NAVIGATION COMMISSION for the DELAWARE RIVER

and its NAVIGABLE TRIBUTARIES

1977 and 1978

Philadelphia

January 1979

OFFICE OF THE

Commissioners of Navigation

PHILADELPHIA.

TO: COMMISSIONERS OF NAVIGATION

I am pleased to provide you with this compilation of the Minutes of the Navigation Commission for the Delaware River and its Navigable Tributaries for calendar years 1977 and 1978.

These minutes document the activities and decisions of the Commission during its first two years of reactivation under the authority of the act of July 9, 1976. During these two years the longest continuing commission in the history of the United States successfully emerged from relative dormancy to resume its proper role in protecting safe navigation and commerce on the Delaware River. I think we can all take pride of the accomplishments of these past two years.

Charles J. Blankenship

M I N U T E S

DEPARTMENT OF COMMERCE
NAVIGATION COMMISSION FOR THE DELAWARE RIVER
AND ITS NAVIGABLE TRIBUTARIES

Philadelphia
April 14, 1977

The Stated Meeting of the Navigation Commission for the Delaware River and its Navigable Tributaries was held this date at 11:00 A.M. in room 1312 Philadelphia State Office Building, Broad and Spring Garden Streets, Philadelphia. Deputy Secretary of Commerce, Charles S. Welsh, presiding at the meeting. A roster of attendance is attached.

Agenda items considered at this meeting were as follows:

1. Meeting was called to order by the Chairman.

2. Orientation on Commission's Powers and Duties.

3. Adoption of Bylaws

4. Adoption of Proposed Rules and Regulations

5. Future Meetings:
   A. Committee meetings to review comments on proposed rules and regulations.

   B. Commission meeting to adopt rules and regulations.

   C. Meetings to renew First Class Pilots' licenses.

6. Consideration of upgrade in rate of two Fourth Class Pilots.

Commissioners appointed by the Governor were sworn in and took "Oath of Loyalty" in the presence of Notary Public, Dorothy Cohen.

Chairman Welsh discussed the adoption of the Proposed Rules and Regulations compiled by Charles Blankenship, Director of Management Services, Department of Commerce.

Subsequent to discussion it was the consensus of all present that the indicated rules and regulations be adopted in its present form, to proceed with the publication in the Pennsylvania Bulletin. Comments received due to the publication will be discussed at a meeting of later date, after which time decision will be made as to whether anything should be added or necessary alteration.

Chairman Welsh appointed the herein referenced Commissioners to the following Committees:

NAVIGATION AND PILOTS COMMITTEE

Commissioner	D. Murphy,	Chairman
Commissioner	J. Fay,	Member
Commissioner	R. Elliott,	Member

WHARVES AND DOCKS COMMITTEE

Commissioner	S. Gallagher,	Chairman
Commissioner	J. Walls,	Member
Commissioner	T. Weston,	Member

This being the first stated meeting held by the Navigation Commission since it was incorporated in the Department of Commerce by ACT 197, effective September 7, 1976, it was more or less an introductory meeting to familiarize the appointed Commissioners as to their powers and duties.

At 1:15 p.m. Executive Secretary, Navigation Commission administered the oath to Fourth Class Pilots, John P. Cuff and Edward J. McGuiness.

Chairman Welsh introduced the Pilots Examination Committee, Captains Schellenger, Bailey and Guilday. They were appointed by Chairman Welsh previous to the meeting.

Questions asked by Chairman Welsh were answered promptly and satisfactorily by both Captains Cuff and McGuiness. It was recommended by the Captains Schellenger, Bailey and Guilday that the indicated pilots be upgraded to Third Rate status, to which the Commission Body agreed. Chairman Welsh presented them with their new licenses authorizing them to draw 27 ft. of water, effective April 14, 1977 for the period of one year.

A meeting will be held in Commissioner Murphy's Office with the members of the Navigation and Pilots Committee of which he is chairman. Meeting will convene at 2:00 p.m. DST on Thursday, May 5, 1977.

It was agreed to incorporate into the published regulations a requirement for a radar observer endorsement as a qualification for a pilot's license.

Acting upon a recommendation from the committee, from the Pilot's Association, the Commission resolved to have counsel prepare a letter to the Governor's Legislative Secretary indicating the Commission's support of the pending legislation to increase rates of pilotage.

- more -

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The next stated meeting of the Navigation Commission will be held on May 10, 1977 beginning at 11:00 a.m. DST to review applications for annual renewal of First Class Licenses. Also, earlier in the day of May 10, 1977 the Committee on Wharves and Docks will meet to discuss construction applications on file with the Navigation Commission.

There being no further business to discuss at this time.

ON MOTION: Meeting adjourned at 2:30 p.m.

Respectfully submitted,

Agnes Coya

Agnes Coya
Executive Secretary
Navigation Commission

ATTENDANCE COMMISSION MEETING APRIL 14, 1977

Deputy Secretary, Commerce Charles S. Welsh	Commerce
Charles J. Blankenship, Director	Commerce
John S. Roberts, Legal Department	Commerce
Richard H. Elliott(Commissioner)	Navigation Commission
John Fay(Commissioner	Navigation Commission
Stephen Gallagher(Commissioner)	Navigation Commission
Daniel I. Murphy(Commissioner)	Navigation Commission
James J. Walls(Commissioner)	Navigation Commission
Timothy Weston(Commissioner)	Navigation Commission
Albert S. Woodford(Comm. Engineer)	Navigation Commission
Agnes Coya, Executive Secretary	Navigation Commission
Samuel M. Schellenger,President	Pilots' Association
Robert Bailey, Member	Pilots' Association
Joseph Guilday Member	Pilots' Association

MINUTES
DEPARTMENT OF COMMERCE
NAVIGATION COMMISSION FOR THE DELAWARE RIVER
AND ITS NAVIGABLE TRIBUTARIES

Philadelphia
May 10, 1977

The Stated Meeting of the Navigation Commission for the Delaware River and its Navigable Tributaries was held on Tuesday, May 10, 1977 in Room 1312 Philadelphia State Office Building, Broad and Spring Garden Streets, Philadelphia. The meeting was convened by Chairman Norval D. Reece, Secretary of Commerce. A roster of those in attendance is attached.

Chairman Reece administered the "Oath of Loyalty" to Commissioner Lewis in the presence of Margaret Mary Dougherty, Notary Public.

Commissioner Murphy reported that his committee on Navigation and Pilots, consisting of Commissioners Fay and Elliott held a meeting earlier this date, which he (Murphy) chaired. Three representatives of the Pilots' Association for the Bay and River Delaware were in attendance in an advisory capacity.

The purpose of said meeting was to examine the herein referenced pilots involved in accidents while acting under the authorization of Pennsylvania State Pilot's License.

Captain Ahrens, Knopp, Lappe were then presented to the Commission Body who queried all pilots as to their accident records, particularly regarding whether or not all accidents experienced were recorded in the official Commission Book retained for that purpose. It was established that no great damage or loss of life occurred. Therefore, they were found to be acceptable for re-licensing. Also, an inquiry would be made to the U. S. Coast Guard relative to the accidents.

Upon review it was noted that as of this date not all pilots had submitted the mandatory "radar license" to the Navigation Commission. Captain Guilday, President of the Pilots' Association, requested a 30 day extension to give the pilots ample time to comply. All facts taken into consideration, the extension was granted by the Commission with a deadline of June 13, 1977 for submission.

The following pilots currently under license by this Commission received renewal of their First Rate Pilot licenses for the period of one year, commencing May 14, 1977, and expiring May 13, 1978:-

Adams, James H
Ahrens, John H.
Anderson, Robert H.
Bailey, Robert W., Sr.
Bailey, Robert W., Jr.
Bradley, Joseph F.
Cluff, Daniel W.
Cluff, Thomas L.
Davis, Edward A.
Douglass, Donald M.
Douglass, George S.
Dunlap, Daniel D.
Eggers, Earl G., Jr.
Guilday, Joseph W.
Haggerty, John A.
Haggerty, William E.
Harper, Gary G.
Hess, Henry E.
Howard, John H.
Ingram, William S., Sr.
Ives, Paul Lane, Jr.
Johnson, Curtis
Johnson, James C.
Johnson, Robert D.
Jones, Wallace R.
Kenworthy, Charles W.

Knapp, Michael E.
Knopp, Andrew F.
Lappe, Richard A.
Linton, Michael J.
Lyshon, G. Stevens
Maloney, James G.
Miller, James L.
Peck, D. Scott, Jr.
Poulterer, William T.
Schellenger, Samuel M.
Smith, Carson B.
Souder, David A.
Souder, Howard
Sparks, Jack
Taylor, Edward F.

The Commission next considered the Sun Shipbuilding and Dry Dock Company's applications (construction) for permission to encroach into the waterway of the Delaware River as follows:

NORTH YARD, Borough of Eddystone, Delaware County, Pennsylvania:-
Extension to an existing bulkhead 1040 ft. upstream along the pierhead and bulkhead line.

SOUTH YARD, City of Chester, Delaware County, Pennsylvania:-
Construction of a new steel sheet pile cellular bulkhead extending approximately 1720 ft. along the pierhead line.

After review of plans and discussion by the Commission, the Executive Secretary was directed to notify Sun Shipbuilding and Dry Dock Company to appear before the Commission on June 21, 1977 at 11:00 A.M. for a public hearing with respect to its applications.

Counsel for the Commission, John S. Roberts, Jr., reported that the proposed Rules and Regulations reviewed at the previous meeting of the Commission had been published in the Pennsylvania Bulletin and that the public would have the opportunity to submit comments for the next thirty days.

Counsel for the Commission also distributed copies of a letter sent to the Governor's office in support of legislation to increase pilotage fees.

The Commission requested that Counsel determine what constituted "navigable" water for purposes of the Commission's jurisdiction.

The next scheduled meeting of the Navigation Commission for the Delaware River and its Navigable Tributaries will be held on Tuesday, June 21, 1977 at 11:00 A.M. in Room 1312 Philadelphia State Office Building.

THERE BEING NO FURTHER BUSINESS, ON MOTION, the meeting was adjourned and the Commission proceeded to a tour of the waterfront.

Respectfully submitted,

Agnes Coya

AGNES COYA
Executive Secretary
Navigation Commission

ATTENDANCE COMMISSION MEETING MAY 10, 1977

Secretary Norval D. Reece	Department of Commerce
Deputy Secretary Charles S. Welsh	Department of Commerce
Charles J. Blankenship	Department of Commerce
John S. Roberts, Jr. (Counsel)	Department of Commerce
Commissioner John Fay	Navigation Commission
Commissioner Richard H. Elliot	Navigation Commission
Commissioner Daniel I. Murphy	Navigation Commission
Commissioner William T. Lewis, Jr.	Navigation Commission
Albert S. Woodford	Navigation Commission
Agnes Coya	Navigation Commission
Captain Joseph W. Guilday	Pilots' Association
Captain Robert W. Bailey	Pilots' Association
Captain Samuel M. Schellenger	Pilots' Association

MINUTES
DEPARTMENT OF COMMERCE
NAVIGATION COMMISSION FOR THE DELAWARE RIVER
AND ITS NAVIGABLE TRIBUTARIES

Philadelphia
June 21, 1977

The Stated Meeting of the Navigation Commission for the Delaware River and its Navigable Tributaries was held on Tuesday, June 21, 1977 in Room 1312, Philadelphia State Office Building, Broad and Spring Garden Streets, Philadelphia. The meeting was convened by Chairman Norval D. Reece, Secretary of Commerce. A roster of those in attendance is attached.

Chairman Reece called the meeting to order.

Minutes of the Stated Meeting held on May 10, 1977 were approved.

Counsel for the Commission, John S. Roberts, Jr., reported on comments received and introduced five letters re publishing of the proposed Rules and Regulations in the Pennsylvania Bulletin.

Subsequent to discussion of the comments the commission agreed to adopt the following changes in the language of the herin below specified sections:

SECTION 201-1 Amendment to read:
subsection (b) "Chester Creek below Ninth Street"
subsection (c) "Crum Creek below Route 291(Industrial Highway) bridge.

SECTION 203-13 Amendment to subsection (1) to read:
"A copy of deed or deeds, or other evidence of title, evidencing ownership of the property on which proposed construction is to be made, included but not limited to proof that the applicant has the power to acquire such property by the power of eminent domain for purposes of such construction.

SECTION 203-14 Amendment to read:
To exempt State Agencies from paying any fee in connection with applications for permits.

SECTION 205-36 Addition to read:
No person shall be denied a license, refused an apprenticeship indenture, refused sponsorship for a pilot's license, or discriminated against in the provision of pilotage services, on the basis of race, religion, national origin, sex, or age.

SECTION 209-14 Amendment to subsection (F) to read:
"No provision of this section shall be interpreted to permit violation of any applicable federal law or regulations".

On motion made and duly seconded, amendments passed unanimously, to adopt Rules and Regulations.

Counsel stated that the amendments would be submitted to the Department of Justice for approval and if found satisfactory, the Rules and Regulations would be printed in final form.

Chairman Reece advised counsel to keep notes on any items which require legislative action to change an existing statute.

- more -

Chairman Reece directed Commissioner Elliott to draft a Memorial Statement in memory of James J. Walls for his widow. The Oath of Office is also to be transmitted to Mrs. Walls.

Following discussion regarding Radar Certification for pilots under the jursidiction of this Commission, Chairman Reece directed Mr. Roberts to contact the United States Coast Guard relative to the issuance, date, authority, etc., of indicated certifications.

Mr. Roberts introduced a letter he received from the United States Coast Guard in answer to a query made by him. The letter stated that in the future, upon request they (USCG) would direct findings of accidents experienced by Pennsylvania Pilots to the Navigation Commission.

Representatives of the Sun Shipbuilding and Dry Dock Company David D. Johnson, Construction Manager and Fred Speaker, Counsel were presented to the Commission Body to discuss proposed construction they are contemplating in the City of Chester and the Borough of Eddystone, Delaware County, Pennsylvania, whose applications are on file with the Navigation Commission.

Chairman Reece advised Mr. Speaker to start negotiations with the legislature showing intent of the purchasing of the four parcels of submerged land owned by the Commonwealth of Pennsylvania, also to advertise the projects in question in two local newspapers four times in two weeks and to produce same at the next stated meeting of the Navigation Commission to be held on Tuesday, July 12, 1977.

Chairman Reece also requested that the Committee on Construction Wharves and Docks review the possibility of granting approval for construction to Sun Shipbuilding and Dry Dock Company contingent upon acquiring title from the State and draft an appropriate resolution for Commission action at the July 12th meeting.
(see attached Memo to File by Robert Galloway)

Mr. Johnson and Mr. Speaker were then excused from the meeting upon advisement that their applications would be acted upon at the next Commission Meeting.

The next stated meeting for the Navigation Commission will be held on Tuesday, July 12, 1977, convening at 11:00 A.M.

THERE BEING NO FURTHER BUSINESS

ON MOTION: Meeting adjourned.

Respectfully submitted,

Agnes Coya

AGNES COYA
Executive Secretary
Navigation Commission

June 17, 1977

MEMO TO FILE

COMMISSIONER WILLIAM T. LEWIS, JR.
NAVIGATION COMMISSION OF THE DELAWARE RIVER

Commissioner William T. Lewis, Jr., a new member of the Navigation Commission of the Delaware River and a representative from Delaware County, visited the yard today to view the site of our applications.

By other circumstances, we have noted there is a letter of May 27 from Timothy Weston to John S. Roberts, Jr., Chief Counsel, Department of Commerce, regarding our application. Mr. Weston generally quotes the legal background on the rights of the State of ownership of raparian rights and suggests that the Navigation Commission not take any action until clear deed is conveyed. As you realize, enabling legislation, which we do not contest, sometimes takes several years and the attitude that the Commission should not take any action until the enabling legislation is enacted could appear to stymie business interests. There must be some way to short circuit such delay problems. We, of course, are not contesting the Commonwealth's ownership of land which we have occupied for many years, as have many, many other firms along the Delaware River.

Such enabling legislation will be introduced promptly and we will certainly be agreeable to signing a good faith agreement on the particular parcels. This was the method followed in 1972 and it proved to be effective for all parties.

The Corps of Engineers, of course, will not issue a permit although they have no objection to issuance of a permit, until they get approval from the State of Pennsylvania which is contingent upon the Navigation Commission's approval.

I am rather hopeful that Mr. Weston will somewhat modify the letter of May 27 so that objections will not be placed in the way of development which seemingly all parties agree is technically sound and economically desirable. Particularly, this is so when it is land presently used and occupied by Sun Shipbuilding over many years and is a similar position to extensive water-front property along the Delaware River. To my knowledge, there has been only a mere handful of actual transfers of land as compared to the hundred miles or so of the river.

ROBERT GALLOWAY

RG:m

cc: F. Hartman, D. Bible
Fred Speaker, PH&S, Harrisburg
Wm. T. Lewis, Jr., 154 Wood Road
Springfield, Penna. 19064

ATTENDANCE COMMISSION MEETING JUNE 21, 197?

Secretary Norval D. Reece	Department of Commerce
Deputy Secretary Charles S. Welsh	Department of Commerce
Charles J. Blankenship	Department of Commerce
John S. Roberts, Jr.(Counsel)	Department of Commerce
Commissioner Richard A. Elliott	Navigation Commission
Commissioner William T. Lewis	Navigation Commission
Commissioner Daniel I. Murphy	Navigation Commission
Albert S. Woodford (Eng.)	Navigation Commission
Agnes Coya	Navigation Commission
Timothy R. Weston	Dept. of Environmental Resources

ALSO

Fred Speaker(Counsel)	Sun Shipbuilding & Dry Dock Co.
David D. Johnson	Sun Shipbuilding & Dry Dock Co.

DEPARTMENT OF COMMERCE
NAVIGATION COMMISSION FOR THE DELAWARE RIVER
AND ITS NAVIGABLE TRIBUTARIES

Philadelphia
July 12, 1977

MINUTES

The Stated Meeting of the Navigation Commission for the Delaware River was held on Tuesday, July 12, 1977, in Room 1312, Philadelphia State Office Building, Broad and Spring Garden Streets, Philadelphia. Acting Chairman Charles J. Blankenship, presiding. A roster of those in attendance is attached.

Acting Chairman Blankenship introduced a letter from Secretary of Commerce, Norval D. Reece designating him to chair the meeting.

"Oath of Loyalty" was administered to Commissioner John Fay by Acting Chairman Blankenship in the presence of Commissioner Lewis, Notary Public.

Motion made by Commissioner Fay seconded by Commissioner Weston the Minutes of the June 21, 1977 Meeting were accepted as written.
All Concurred.

Counsel for the Commission, John S. Roberts, Jr., reported that the Rules and Regulations adopted by the Commission at their stated meeting of June 21, 1977 have not been published due to the fact that a change in the language in the herein referenced section be considered:

SECTION 205.7 (e) Amendment to read:
No license shall be granted to any person to act as a pilot of any class unless he is qualified as a radar observer as evidenced by:

(1) A current federal pilot's license issued or renewed by the United States Coast Guard containing an endorsement that the licensee is qualified; or

(2) A certificate issued by the New York Maritime Administration Office or other certification acceptable to the Commission, dated not more than five years prior to the date on which the license is to be granted, evidencing satisfactory completion of the course of instruction for radar observer.

Motion made by Commissioner Gallagher seconded by Commissioner Elliott to accept the changes in the language.
All Concurred.

Counsel further stated that the Rules and Regulations with the indicated amendments would be published in the Pennsylvania Bulletin.

Counsel introduced a letter he directed to Mr. John W. Pinnel, President The Philadelphia Maritime Exchange in answer to a request of a moratorium on apprentice pilots due to the present level of ship traffic, in which he(Roberts) advised them that the request would be taken into careful consideration by the Commission.

Executive Secretary was directed by Acting Chairman Blankenship to review all pilot's files notating the legality of their Radar Observer Licenses. Also to notify Third Rate Pilots, Captains Cuff and McGuiness to produce Radar Observer certification.

Commissioner Weston discussed that the Department of Environmental Resources is seeking approval from the Attorney's Office to transfer to DER authority once held by the now defunct Water and Power Resources Board.

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Executive Secretary was directed to read Memorial Statement in memory of James J. Walls for his widow, which was unanimously accepted as read.

REPORT OF COMMITTEE ON CONSTRUCTION WHARVES AND DOCKS

A meeting of the Committee on Construction Wharves and Docks was held prior to the Stated Meeting of the Navigation Commission, in Room 1312. The meeting was convened by Chairman Gallagher.

Purpose of said meeting was to consider applications for permits submitted by the Sun Shipbuilding and Dry Dock Company for permission, to

ENCROACH into the waterway of the Delaware River, west side of Ridley Creek constructing new steel sheet-pile cellular bulkhead extending 1720 ft. along the pierhead line enclosing a series of old finger piers and slips. Cells to be backfilled with sand and gravel, area behind bulkhead filled to an elevation of 11.7 in front of its South Yard property in the City of Chester, Pennsylvania

all in accordance with plans prepared by Hudson Engineers, H-995-01, 2 sheets, dated April 1, 1977 on file with the Navigation Commission.

+AND+

ENCROACH into the waterway of the Delaware River, east side of Ridley Creek by extending existing approved bulkhead 1040 ft. upstream along the pierhead and bulkhead line. A stone and rubble bank constructed at the upriver end of the new bulkhead to the high water line, enclosed area to be backfilled, in front of its North Yard property in the Borough of Eddystone, Delaware County, Pennsylvania

all in accordance with plans prepared by Hudson Engineers, H995, dated March 3, 1977, on file with the Navigation Commission.

Upon questions propounded by Chairman Gallagher it was noted that the representatives of the Sun Shipbuilding and Dry Dock Company failed to produce the required copies of the advertisements, to which they agreed to forward to the Commission Office.

It was also noted that the adjacent property owners had been notified by certified and return mail. Posting of notices on the premises and adjacent areas was accomplished - according to the requirements of the applicable law.

Chairman Gallagher called upon a representative of the Sun Shipbuilding and Dry Dock Company to explain the nature of the said improvement. Mr. Fisher, Engineer for Sun Shipbuilding and Dry Dock Company explained the improvement in detail.

Subsequent to a lengthy discussion it was agreed by all present that there was no objections to the plans and specifications.

Counsel was directed to issue preliminary permits with the following conditions:-

(1) approve the plans for Sun Shipbuilding and Dry Dock Company for the North and South Yards, conditional upon acquisition of title to the submerged land to be occupied by the project from the Commonwealth.

(2) the Commission shall withhold permits until title has been acquired by appropriate legislation and deed, and subject to such conditions as required by the legislation authorizing transfer of Commonwealth lands.

(3) The Commission inform the U. S. Army Corps of Engineers and the Delaware River Basin Commission of such conditional approval.

Sun Shipbuilding and Dry Dock Company's preliminary permits cont'd

(4) The Commission advise the U. S. Army Corps of Enginners of the possible conflict between the North Yard project and Chester Channel Range lights, as an issue for determination and resolution within the expertise of the Corps and the U. S. Coast Guard.

Discussion ensued regarding application submitted by Gulf Oil Corporation after which it was agreed to notify Gulf Oil Corporation to advertise the project and appear before the Commission at their next scheduled meeting to be held on August 9, 1977 and to produce copies of advertisements.

The next stated meeting of the Navigation Commission will be held on Tuesday, August 9, 1977 at 11:00 A.M.

NEW BUSINESS

Acting Chairman Blankenship reported on a meeting he attended along with Commissioner Lewis and Mr. Roberts with the Delaware River Pilots Commission.

A joint meeting of the two states to resolve reciprocity, apprentices, etc. was scheduled for September, 1977.

THERE BEING NO FURTHER BUSINESS

ON MOTION: Meeting adjourned

Respectfully submitted,

Agnes Coya

AGNES COYA
Executive Secretary
Navigation Commission

ATTENDANCE COMMISSION MEETING JULY 12, 1977

Charles J. Blankenship	Department of Commerce
John S. Roberts, Jr. (Counsel)	Department of Commerce
Richard H. Elliott	Navigation Commission
John Fay	Navigation Commission
Stephen P. Gallagher	Navigation Commission
William T Lewis	Navigation Commission
Albert Woodford	Navigation Commission
Agnes Coya	Navigation Commission
R. Timothy Weston	Dept. of Environmental Resources
Richard L. Bible	Sun Shipbuilding & Dry Dock Co.
Clifford Pearlman	Sun Shipbuilding & Dry Dock Co.
Robert J. Fisher	Hudson Engineers

COMMONWEALTH OF PENNSYLVANIA
DEPARTMENT OF COMMERCE
NAVIGATION COMMISSION FOR THE DELAWARE RIVER
AND ITS NAVICABLE TRIBUTARIES

Philadelphia
August 9, 1977

MINUTES

A meeting of the Navigation Commission for the Delaware River and its Navigable Tributaries was held on Tuesday, August 9, 1977 in Room 1312, Philadelphia State Office Building, Broad and Spring Garden Streets,. Philadelphia, Pennsylvania. Acting Chairman Blankenship, presiding. A roster of those in attendance is attached.

Acting Chairman Charles J. Blankenship introduced a letter from Secretary of Commerce, Norval D. Reece, designating him to chair the meeting.

Corrections to the Minutes of the previous meeting held on July 12, 1977 were made.

AMENDEMENTS

Commissioner Lewis convened the meeting of the Committee on Construction, Wharves and Docks, not Commissioner Gallagher.

Sun Shipbuilding and Dry Dock Company to be granted preliminary approval , in lieu of preliminary permit.

Motion duly made and seconded to accept Minutes with the amendments. All concurred.

REPORT OF COMMITTEE ON NAVIGATION AND PILOTAGE

Chairman Murphy discussed the Radar Observer Certification qualification for Pilot Licenses. It was noted that certification of all pilots acting under the authority of this Commission were in order, with the exception of Captain Curtis Johnson, who as of this date failed to produce evidence of Radar Observer certification.

Chairman Murphy moved that Counsel notify Captain Johnson to appear before the Commission with counsel, if he so desires, showing cause why his license should not be revoked. Also suggested that this hearing to be held on October 11, 1977. Motion duly made and seconded. All concurred.

Accidents reported by Pennsylvania Pilots, Captains Ingram and Knapp, were discussed. It was noted that no damge was sustained. It was the consensus of those present that further study should be made by the Committee on Navigation and Pilotage as to the nature of regulations or laws under consideration by the Federal Government governing the inspection of foreign flag vessels.

REPORT OF THE COMMITTEE ON CONSTRUCTION, WHARVES AND DOCKS

Acting Chairman Blankenship directed Commissioner Lewis to conduct the hearing of the Gulf Oil Company application in the absence of Committee Chairman Gallagher.

Purpose of said hearing was to consider application by the Gulf Oil Company for permission to -

ENCROACH into the waterway of the Delaware River by constructing a new supplementary emergency fire water intake system located along the Delaware River at Berth 4 of Gulf Oil Company, Hog Island Terminal, located along the southern boundary of the Philadelphia International Airport in Delaware County, Pennsylvania

all in accordance with plans prepared by S. T. Hudson Engineers, Inc., Drawing G-2010, Sheets 1 and 2,dated May 4, 1977 on file with the Navigation Commission.

Proof was submitted that the application for license had been advertised according to law - posting of notices on the premises and adjacent areas was accomplished.

Representative of Gulf Oil Company, Mr. J. Ford was called upon to explain in detail the exact nature of the said improvement. He (Ford) stated that the reason for the new installation is to improve fire protection.

Approximate cost of improvement is estimated at $120,000.

Counsel was directed to notify Gulf Oil Company that a preliminary approval will be granted pending a resolution of the problem of property ownership which was referred to the Committee on Construction, Wharves & Docks, and Counsel. Motion made and seconded that preliminary approval be granted. All concurred.

A Public Hearing in the matter of the Delaware County Regional Water Quality Control Authority(DELCORA) was held by PennDOT on February 24, 1976 to encroach into the waterways of Marcus Hook and Stoney Creeks, at which time PennDOT denied a permit pending easement rights approval from adjacent property owners, which were received July, 1977.

In reveiw it was noted that the above mentioned creeks were not within Navigation Commission's jurisdiction.

Motion made by Commissioner Weston, seconded by Commissioner Elliott that DELCORA file be released to the Department of Environmental Resources, who will send formal application to DELCORA.

Counsel was directed to notify DELCORA stating that the two creeks are non-navigable, the Navigation Commission has no jurisdiction and that the Department of Environmental Resources, Division of Dams and Encroachments, has jurisdiction in this matter.

A review of a construction application from ARCO Pipeline Company revealed that evidence of ownership had not been furnished. Counsel was directed to notify the applicant of this deficiency.

Acting Chairman Blankenship presented to the Commission a copy of the Annual Report to the Governor, which he prepared. Report accepted as presented. All concurred.

The September Commission Meeting will be held jointly with the State of Delaware Board of Pilot Commissioner to discuss mutual areas of concern.

Next stated meeting of the Navigation Commission wil be held on Tuesday, October 11, 1977 at 11:00 A.M.

THERE BEING NO FURTHER BUSINESS TO DISCUSS AT THIS TIME

ON MOTION: Meeting adjourned

Respectfully submitted,

Agnes Coya

AGNES COYA
Secretary
Navigation Commission

ATTENDANCE COMMISSION MEETING AUGUST 9, 1977

Charles J. Blankenship(Acting Chairman)	Department of Commerce
John S. Roberts,Jr.(Counsel	Department of Commerce
Richard Elliott(Commissioner)	Navigation Commission
Stephen P. Gallagher(Commissioner)	Navigation Commission
William T. Lewis,Jr.(Commissioner)	Navigation Commission
Daniel I. Murphy(Commissioner)	Navigation Commission
R. Timothy Weston(Commissioner)	Navigation Commission
Albert S. Woodford(Consulting Eng.)	Navigation Commission
Agnes Coya(Secretary)	Navigation Commission
Joseph Ford	Gulf Oil Company
Phillip J. Alterman	Hudson Engineers

MINUTES

DEPARTMENT OF COMMERCE
NAVIGATION COMMISSION FOR THE DELAWARE RIVER
AND ITS NAVIGABLE TRIBUTARIES

Philadelphia
October 11, 1977

The Stated Meeting of the Navigation Commission for the Delaware River and its Navigable Tributaries was held on Tuesday, October 11, 1977 in Room 1312 Philadelphia State Office Building, Philadelphia. The meeting was convened by desiganted Chairman Charles J. Blankenship. A roster of those in attendance is attached.

Chairman Charles J. Blankenship administered the Oath of Office to Senator Joseph Smith, newly appointed Commissioner from the City of Philadelphia, in the presence of Commissioner Lewis, Notary Public.

Chairman Blankenship introduced Dr. Eugene R. Slaski of the History Department of the Pennsylvania State University, Allentown Campus, who is researching and writing a history of the Commission.

After reading the Minutes of the previous meeting held on August 9, 1977, a correction was made in the report of the Committee on Navigation and Pilotage as follows:

PARA 3, LINE 5 - Amendment to read:

Federal Government governing the inspection and surveying of foriegn flag ships .

Motion made and seconded to accept the Minutes as amended. All concurred.

REPORT OF THE CHAIRMAN

Chairman Blankenship reported that the Navigation Commission's appropriation for the fiscal year 1977-78 is $77,000, an amount that should be sufficient to fund the operations of the Commission for the year. Chairman Blankenship also reported that a telephone poll of the Commissioners in September indicated unanimous approval of the proposed change in the name of the snag boat from "The Sheriff" to the "Bull Dog". The name "Bull Dog" is historically significant, since it was the name of a galley in the Revolutionary Pennsylvania Navy.

REPORT OF COUNSEL

Counsel to the Commission, John S. Roberts, Jr., reported on the following matters:

1. Notice of the adoption of the final version of the Commission's Regulations was published in the Pennsylvania Bulletin on Saturday, August 27, 1977. Consequently, such Regulations are now in full force and effect. Counsel asked that the Commission formally approve a change to Section 203.1 which deleted the Commonwealth of Pennsylvania from the definition of "Person". Upon motion made and seconded, all members present voted to approve the change.

2. Pursuant to the Commission's instructions, Counsel notified DELCORA that its application to close Marcus Hook was not within the Commission's jurisdiction and that the matter was being transferred to the Department of Evironmental Resources, Division of Dams and Encroachments. Counsel reported that notice had been given, the file was transferred and that the Department of Environmental Resources had already issued approval.

3. Pursuant to the Commission's instructions, Counsel notified Gulf Oil Company that, with respect to its application to construct a new supplementary emergency fire water intake system to satisfy the Commission's requirement for ownership, a recommendation would be made to the Commission that it require the submission of an application signed jointly by Gulf Oil Company and the City of Philadelphia, which is the owner of the property on which the construction is to be erected. Counsel further reported that he had been advised by Richard P. Randall, Gulf Oil Company's attorney, that there would be no problem in having the application co-signed by the City of Philadelphia.

Upon motion made and seconded, all Commissioners present voted to approve Counsel's recommendation to accept a jointly signed application.

4. Counsel reported that he had advised Arco Pipeline Company that its application to construct upriver and downriver mooring dolphins could not be considered until the acquisition of title to the submerged land from the Commonwealth of Pennsylvania. Counsel further advised Arco Pipeline Company that one of the proposed mooring dolphins appears to fall within the boundaries of the City of Philadelphia and that this is out of the Commission's jurisdiction.

REPORT OF COMMITTEE ON NAVIGATION AND PILOTAGE

Chairman Murphy reported that Captain Curtis Johnson voluntarily surrendered his Pilot's License incident to retirement and that a hearing of his qualifications was no longer necessary.

Chairman Murphy also advised the Commission that he had received a report of the stranding of the M/S Fina Norvege on August 14, 1977 by Captain Wallace Jones. Captain Guilday reported his information that there was no damage to the vessel. Chairman Murphy also advised the Commission that the Committee on Navigation and Pilotage will submit a recommendation to the Commission at a future meeting on the procedures for the investigation and hearing of Marine accidents.

REPORT OF THE COMMITTEE ON CONSTRUCTION, WHARVES AND DOCKS

Commissioner Lewis was asked by Chairman Blankenship to deliver the report of the Committee in the absence of Commissioner Gallagher. Commissioner Lewis reported that Sun Oil Company had submitted an application for the construction of a storm pipe; however, the application could not be considered by the Commission because legislation was needed to provide ownership of the riverbed tract to the applicant. An application from the Warner Company for a permit to reopen and widen an existing channel connecting Van Sciver Lake with Franklin Basin was scheduled for a hearing at the next regular Commission meeting.

Engineer Woodford reported that he had received copies of correspondence complaining about the construction of a bulkhead by Leonard Contino in the Neshaminy Creek. A review of the file showed that Mr. Contino had been denied a permit for this construction by the Commission in 1969. With all concurring the Commission moved to direct the Counsel to notify the District Attorney for Bucks County that the Commission had reason to believe that a state statute

had been violated by Mr. Contino because of the construction of a harbour facility without a permit being granted by the Commission.

Commissioner Lewis read correspondence from Robert Cooper of Gulf Interstate Engineering Company on behalf of LCA Leasing Corporation requesting an extension of the six-months period of a construction permit and detailing the work completed to date. Motion was made and seconded to direct Counsel to advise licensee that sufficient work had been performed by LCA within six months after the issuance of the construction permit and consequently the permit remains in effect. All concurred with the exception of Commissioner Murphy, who abstained.

Commissioner Lewis summarized the status of construction applications on file with the Navigation Commission as follows:

APPLICANT	STATUS
Arco Pipe Line Co.	Must purchase state owned land.
DelCora	File released to DER.
Gulf Oil Company	Legislation pending to purchase land.
Gulf Interstate Eng.(LCA)	Permit still valid
Sun Oil Company	Must purchase state owned land.
Sun Ship. & Dry Dock Co.	Legislation pending to purchase land.
Warner Company	Hearing scheduled for Nov. 10, 1977.

REPORT OF THE COMMITTEE ON OFFSHORE ADVISORS

Commissioner Elliott reported that the Offshore Advisors Committee consisting of himself, Commissioner Lewis, Captain Guilday met prior to the regular meeting to discuss LORAN certification for pilots. Commissioner Elliott requested a resolution approving the requirement for LORAN certification for pilots in principle. Motion made and seconded. All concurred on the resolution. Commissioner Elliott will report on the specific language of the regulation at a future Commission meeting.

The next regualr meeting of the Navigation Commission will be held on Thursday, November 10, 1977 beginning at 11:oo A.M. The meeting date was changed from Tuesday, November 8, which is election day.

There being no further business to discuss
ON MOTION: Meeting adjourned.

Respectfully submitted,

Agnes Coya

AGNES COYA
Executive Secretary
Navigation Commission

ATTENDANCE COMMISSION MEETING OCTOBER 11, 1977

Charles J. Blankenship, Presiding	Dept. of Commerce
John S. Roberts, Jr. Counsel	Dept. of Commerce
Senator Joseph Smith	Navigation Commission
Commissioner Richard H. Elliott	Navigation Commission
Commissioner William T. Lewis, Jr.	Navigation Commission
Commissioner Daniel I. Murphy	Navigation Commission
Captain Joseph W. Guilday,Pres.	Pilots' Association
Eugene R. Slaski	Self
Albert S. Woodford,Consulting Eng.	Navigation Commission
Agnes Coya, Secretary	Navigation Commission

MINUTES
DEPARTMENT OF COMMERCE
NAVIGATION COMMISSION FOR THE DELAWARE RIVER
AND ITS NAVIGABLE TRIBUTARIES

Philadelphia
November 10, 1977

The Stated Meeting of the Navigation Commission for the Delaware River and its Navigable Tributaries was held on Thursday, November 10, 1977 in Room 1312 Philadelphia State Office Building, Philadelphia. The meeting was convened by designated Chairman Charles J. Blankenship. A roster of those in attendance is attached.

The minutes were approved from the previous meeting held on October 11, 1977.

REPORT OF COUNSEL

Counsel John Roberts introduced a letter submitted by John Swain, Mr. Contino's attorney. Attached were two letters to Mr. Contino from James J. Walls (deseased), a former Executive Sectrtary to the Navigation Commission. The first letter from Mr. Walls, dated 9/9/69, states that Mr. Contino's application to construct a wood bulkhead had been denied; however, if applicant wishes to revise has plans, the application will be considered.

The second letter from Mr. Walls to Mr. Contino, dated 9/18/71, states: "The Navigation Commission for the Delaware River interposes no objection." Chairman Blankenship advised Counsel that it appears no hearing was held on which Mr. Walls letter had been based. Mr. Contino advised the Commission that he will apply for a permit for a floating dock. Counsel recommended that the application contain both the bulkhead and float.

The Commission will hold a hearing on December 13, 1977 to consider the application. Prior to that time, Mr. Contino agreed to submit an application for the construction of the bulkhead and floating dock.

REPORT OF THE COMMITTEE ON CONSTRUCTION, WHARVES, AND DOCKS

A hearing was held with officials from the Warner Company to discuss whether the Commission would grant permission to reopen and widen the existing channel in stages to function as a temporary lock and canal system for floating heavy equipment removal from Van Sciver Lake into Franklin Basin, a tidal body on the north side of the Delaware River in Bucks County. Those present from the Warner Co. were David Painter, chief engineer, and Attorney John Furman.

Proper advertisement had been completed; no objections were received. All approved the project; though a quorum was not present. Recommendation will be made to the Commission at the next meeting.

Arco Pipeline Co. requests preliminary approval to construct a new down river Mooring Dolphin at Berth A - Fort Mifflin Terminal. The proposed will provide additional mooring facilities for tankers using Berth A to improve efficiency and safety in docking, unloading, and undocking vessels.

The Committee will present its recommendation on the Commission's policy toward preliminary approval at the next meeting.

REPORT OF THE COMMITTEE ON NAVIGATION AND PILOTAGE

Representatives from the Pilot's Association for the Bay and River Delaware and the Philadelphia Maritime Exghange were present to express opposing views on increased rates of pilotage.

Those present were:
Capt. Robert Bailey----------Pilot's Association
Capt. Joseph W. Guilday------Pres., Pilot's Association
Capt. James Wallace----------Norton Lilly & Co.
Private Henry Coory----------Manager, U.S. Lines
William A. Harrison----------Sec., Phila. Maritime Exchange
Jimmie Gowton----------Norton Lilly & Co.

The two issues are:

1. Changing the standard of pilotage from the draft and length to the length and beam. In effect, this would mean that smaller vessels would pay less; larger vessels would pay more.

2. Increased pilotage. The argument is that the income is needed for capital improvements.

The Pilot's Association is asking for the Commission's endorsement of a rate increase presently before the Legislature. The Maritime Exchange is seeking endorsement to deny the rate increase.

Following are comments from Capt. Guilday, who spoke on behalf of the Pilot's Association. There are insufficient funds to run a first class professional pilot service. Needed is approximately $1.3 million for the land base to be used to:

1. acquire land
2. build a pier
3. purchase two new crash boats

In addition the Pilot's Association desires to:

1. build a facility to house the pilots.

2. build new radio-telephones; 100 sets are needed at a cost of $1500 per set for the Motorola brand. The current telephones are 12 years old.

3. send their trainees to school in Grenoble, France for the benefit of Super Tanker knowledge.

In response to Commissioner Fay, the Captain stated that only if the requests are met, will the Pilot's Association rates be comparable to other ports.

Following are the comments from William Harrison, who spoke in the behalf of the Maritime Exchange Association. In April 1976, an agreement was made between the shipping industry and the Pilot's Association. A clause in the agreement stated that negotiations could be opened in January 1979.

When the agreed to legislation reached the Governor's desk, it was discovered that it contained an error and was vetoed. It was not possible to get another bill introduced during the 1975-75 section.

The industry feels that:
1. they cannot afford what Capt. Guilday feels is needed.
2. they shouldn't pay for land that serves for only the benefit of the Pilot's Association.
3. they do not want to set a precedent by reopening negotiations before agreement terminations.

The Philadelphia Maritime Exchange cannot afford costs as can other ports. For additional revenue, the Pilot's Association must cut down on the number of pilots. Since 1967 there has been a 30% decrease in the number of ships coming to port, though the number of pilots has remained constant.

The bill is currently in the Senate after having passed by the House by a 193-0 vote.

The Commission has no jurisdiction for setting rates. The ultimate decision rests with the Legislature. The Committee can take no formal action without a quorum.

Coast Guard hearings will be held on November 16, 1977 at the Social Security and Administration Building. Radar controlled vessels will be discussed. Commissioner Lewis was asked to be an observer of the meeting.

The next meeting of the Navigation Commission will be on Tuesday, December 13, 1977 at 11 a.m.

There being no further business the meeting adjourned.

Respectfully submitted,

Carol Rosenbloom
Administrative Assistant
Navigation Commission

ATTENDANCE COMMISSION MEETING NOVEMBER 10, 1977

Charles J. Blankenship, presiding	Dept. of Commerce
John S. Roberts, Jr., Counsel	Dept. of Commerce
Commissioner William T. Lewis	Navigation Commission
Commissioner Daniel I. Murphy	Navigation Commission
Commissioner Stephen P. Gallagher	Navigation Commission
Commissioner R. Timothy Weston	Dept. of Environmental Resources
Commissioner John Fay	Navigation Commission
Albert S. Woodford (consulting engineer)	Navigation Commission
Carol Rosenbloom (administrative asst.)	Navigation Commission
Capt. Robert Bailey	Pilot's Asso.
Capt. Joseph W. Guilday	Pres. Pilot's Asso.
Capt. James Wallace	Norton Lilly & Co.
Private Henry Coory	Manager U.S. Lines
William A. Harrison	Sec. Phila. Maritime Exchange
Jimmie Gowton	Norton Lilly & Co.
John Swain	Attorney
David Painter	Chief Enfineer-Warner Co.
John Furman	Attorney-Warner Co.
Leonard Contino	

MINUTES
DEPARTMENT OF COMMERCE
NAVIGATION COMMISSION FOR THE DELAWARE RIVER
AND ITS NAVIGABLE TRIBUTARIES

Philadelphia
December 13, 1977

The Stated Meeting of the Navigation Commission for the Delaware River and its Navigable Tributaries was held on Tuesday, December 13, 1977 in Room 1312 Philadelphia State Office Building, Philadelphia. The meeting was convened by designated Chairman Charles J. Blankenship. A roster of those in attendance is attached.

Corrections to the minutes of the previous meeting held on November 10, 1977 were made. They were: to remove "Private" from Mr. Coory's name and to add Agnes Coya, executive secretary, to the attendance roster.

Albert S. Woodford was officially appointed to the Navigation Commission.

REPORT OF THE CHAIRMAN

The name of the snag boat has been officially changed to the "Bulldog."

Extensive repairs on the boat have been made: the basket has been welded, the generator has been repaired, and a series of other minor repairs have been made.

The full crew of three has been completed with the addition of two deckhands: William DeCarlo and Terrence Gavin.

REPORT OF COUNSEL

Checks for the fees for the licenses need to be made payable to the Department of Commerce. Previously it was required that checks be made payable to the Department of Revenue.

Motion was made and accepted to change the regulations to require license fee checks to be made payable to the Department of Commerce.

REPORT OF THE COMMITTEE ON CONSTRUCTION, WHARVES, AND DOCKS

The Committee recommended approval of the Warner Company application for a temporary channel from Van Sciver Lake into Franklin Basin. Motion was made and accepted to grant Warner Company a permit.

At the previous meeting, Leonard Contino was asked to submit an application. He has not yet done so. Counsel will send a letter to Mr. Contino reminding him of the obligation he undertook at the previous meeting to supply the Navigation Commission with an application to meet with the requirements of the law.

Arco Pipeline applied for permission to construct a new mooring dolphin at Berth A - Fort Mifflin Terminal. Arco is seeking preliminary approval to enable them to complete the mooring dolphin at the same time the balance of other related work is completed.

Present for Arco Company were: M. Carton Dittman, Jr., Attorney
David F. Scranton, Attorney
David V. Shelly, Pres., S.T. Hudson Engineers, Inc.
Wilbur A. Schaid, Arco Pipeline Co.
Project Manager

Mr. Dittman stated that the current work is merely an extension of what was approved in December 1975, though they had no title. A federal permit was granted for Berth A, and the reconstruction is approximately 50 percent completed.

A bill to deed the property to Arco is currently in the General Assembly.

The land is owned by the State.

A permit cannot be issued until a deed or other evidence of title is secured.

Motion was made and accepted to hold a hearing and consider preliminary approval at the next regular meeting.

Commissioner Lewis summarized construction applications as follows:

Leonard Contino - a letter from Counsel
Arco Pipeline - a hearing is scheduled for January. Legislation pending for deed.
Sun Ship - Legislation pending for deed.
Sun Oil - Legislation pending for deed.
Gulf Oil - waiting for the City of Philadelphia to co-sign.

REPORT OF THE COMMITTEE ON NAVIGATION AND PILOTAGE

Secretary Reece and the Commissioners have received many letters from the shipping industry concerning the pilotage rates. Neither the Department of Commerce nor the Navigation Commission has the jurisdiction for setting the pilotage rates from the Capes to the Port. The bill to increase the rates is now (Dec. 13, 1977) on the third consideration in the Senate.

Commissioners Fay, Murphy, and Elliot are working on ways in which hearing procedures might be implemented. They will develop a list of regulations to be submitted to the Commission.

There are no apprenticeships at this time from Pennsylvania. It takes eight years to become a first class pilot.

A management analyst from the Commerce Bureau of Management Services will be asked to determine when pilots will be retiring and when more will be needed.

REPORT OF THE OFF-SHORE ADVISORS COMMITTEE

The Committee is developing a LORAN requirement regulation for submission at a future meeting.

REPORT OF THE COAST GUARD HEARING OBSERVER - COMMISSIONER LEWIS

Discussed at the Coast Guard meeting was the proposed vessel-traffic system, whereby there would be radar along the river under the centralized control plan so that every vessel would be monitored, similar to aircraft traffic control at airports.

Various persons spoke in favor and in opposition of the system. A copy of the meeting proceedings will be sent to the Commission.

CHAIRMAN AND COUNSEL'S REPORT ON THE NEW NAVCOM LAW

Chairman Blankenship and Mr. Roberts have been reviewing the existing laws so that appropriate changes and revisions can be made.

The idea of a task force was proposed and accepted to find out more specifically what is needed. The three suggested areas are: pilots, navigation, and construction.

Commissioners Lewis and Elliot volunteered to serve on the task force. Mr. Roberts suggested that a person from each committee should serve.

Input from private citizens will be welcomed; the idea being that all will work together in order to reach a consensus on the provisions of contemporary legislation.

The next meeting of the Navigation Commission will be on Tuesday, January 10, 1978 at 11 a.m.

There being no further business the meeting adjorned.

Respectfully,

Carol Rosenbloom
Administrative Assistant
Navigation Commission

ATTENDANCE COMMISSION MEETING DECEMBER 13, 1977

Charles J. Blankenship, presiding	Dept. of Commerce
John S. Roberts, Jr., Counsel	Dept. of Commerce
Commissioner William T. Lewis	Navigation Commission
Commissioner Stephen P. Gallagher	Navigation Commission
Commissioner Richard H. Elliot	Navigation Commission
Commissioner R. Timothy Weston	Navigation Commission
Albert S. Woodford (consulting engineer)	Navigation Commission
Agnes Coya (executive secretary)	Navigation Commission
Carol Rosenbloom (administrative assistant)	Navigation Commission
M. Carton Dittmann, Jr.	Arco attorney
David F. Scranton	Arco attorney
Robert V. Shelly	Pres. S.T. Hudson Engineers, Inc.
Wilbur A. Schaid	Arco Pipeline Project Mgr.

MINUTES
DEPARTMENT OF COMMERCE
NAVIGATION COMMISSION FOR THE DELAWARE RIVER
AND ITS NAVIGABLE TRIBUTARIES

Philadelphia
January 10, 1978

The Stated Meeting of the Navigation Commission for the Delaware River and its Navigable Tributaries was held on Tuesday, January 10, 1978 in Room 1312 Philadelphia State Office Building, Philadelphia. The meeting was convened by designated Chairman Charles J. Blankenship. A roster of those in attendance is attached.

The minutes were approved from the previous meeting held on November 10, 1977.

REPORT OF THE CHAIRMAN

John B. Koller, a management analyst for the Commerce Bureau of Management Services has projected when pilots will be retiring and when more will be needed. Assuming a retirement age of 65 and assuming no vacancies will occur due to reasons other than retirement, the first vacancies of First Rate Pilots will occur in 1990. To fill these vacancies, recruitment of apprentice pilots should begin in 1982.

Chairman Blankenship will submit the report to the Committee on Pilotage and Navigation.

At the December 13, 1977 meeting the idea of a task force was proposed and accepted to advise the Commission on the provisions of a new Navigation Commission law. The first meeting is scheduled for February 3, 1978, 10:30 a.m. at the Sheraton Valley Forge Hotel, King of Prussia. The meeting will concentrate on piloting provisions. Persons who are experienced and knowledgeable on pilotage and navigation will be invited.

REPORT OF COUNSEL

Counsel sent a letter to Mr. Contino's attorney, Mr. John Swain, to remind him of the obligation his client undertook at the November 1977 meeting to supply the Navigation Commission with an application. Mr. Swain stated in a letter of January 3, 1978 that a new set of plans are being made and that Mr. Contino's application will be submitted before the February meeting.

REPORT OF THE COMMITTEE ON CONSTRUCTION, WHARVES AND DOCKS

A hearing was held on the Arco Pipeline application to construct a new mooring dolphin at Berth A - Fort Mifflin Terminal.

Counsel explained that in order to meet with the proper advertisement requirements, the applicant's advertisement must be published twice weekly for two successive weeks in two newspapers. All adjacent property owners were notified. No response was received.

Mr. Schaid explained that the dolphins can be used as a bow and/or stern line in order to better secure ships and that the present system of using spring lines has proven insufficient.

Engineer Woodford stated no objection; all being in order with the rules of the Navigation Commission.

Property below the low water mark is owned by the State; therefore, a deed must be secured from the General Assembly. The Commission has no objection to the proposed construction, but will reserve the issuance of a permit until a deed is acquired. The Commission moved to have Counsel forward a letter to Arco Pipeline stating the Commission's position, after the advertising is corrected. The letter may be in such form as required

by the U.S. Army Corps of Engineers to accept the Arco application for review.

Commissioner Lewis summarized construction applications as follows:

Arco	Referred to Counsel; legislation pending
Leonard Contino	Submit an application in February
Sun Ship	Legislation pending
Sun Oil	Legislation pending for deed
Gulf Oil	Waiting for the City of Philadelphia to co-sign

No new construction applications are on file.

REPORT OF THE OFF-SHORE ADVISORS COMMITTEE

The Pilots Association has initiated a voluntary LORAN and Off-Shore Advisors program. Training and certification in LORAN are received from schooling in New York.

The Delaware Commission has made the LORAN compulsory.

Capt. Guilday feels that the certificate is sufficient for a pilot to go off-shore.

The Committee recommends that the Commission takes no action at this time.

The next meeting of the Navigation Commission will be on Tuesday, February 14, 1978 at 11 a.m.

There being no further business the meeting adjorned.

Respectfully,

Carol Rosenbloom
Administrative Assistant
Navigation Commission

ATTENDANCE COMMISSION MEETING JANUARY 10, 1978

Charles J. Blankenship, presiding	Dept. of Commerce
John S. Roberts,Jr., Counsel	Dept. of Commerce
Commissioner William T. Lewis	Navigation Commission
Albert S. Woodford (consulting engineer)	Navigation Commission
Carol Rosenbloom (administrative assistant)	Navigation Commission
Agnes Coya (executive secretary)	Navigation Commission
M. Carton Dittmann, Jr.	Arco attorney
David F. Scranton	Arco attorney
Wilbur A. Schaid	Arco Pipeline Project Mgr.
Robert J. Fisher	Vice Pres. S.T. Hudson Engineersm Inc.

MINUTES
DEPARTMENT OF COMMERCE
NAVIGATION COMMISSION FOR THE DELAWARE RIVER
AND ITS NAVIGABLE TRIBUTARIES

Philadelphia
February 14, 1978

The Stated Meeting of the Navigation Commission for the Delaware River and its Navigable Tributaries was held on Tuesday, February 14, 1978 in Room 1312 Philadelphia State Office Building, Philadelphia. The meeting was convened by John Roberts in the absense of designated Chairman Charles J. Blankenship. A roster of those in attendance is attached.

The minutes were approved from the previous meeting held on January 10, 1978.

REPORT OF COUNSEL

Counsel advised the Commission he had received an attorney general's opinion concerning the legal authority of the DER and the Navigation Commission to issue licenses for projects in the Delaware River. The opinion concludes that under Section 7 of the Navigation Act, DER and the Navigation Commission have grant regulatory authority requiring the issuance of two permits for each project. Commissioner Lewis requested Commissioner Weston and Chairman Blankenship (along with other staff from DER) to work out procedures for a joint application.

Counsel received a memorandum from Commissioner Weston concerning Sohio. This matter has been referred to the Commission and will be discussed at the next meeting.

REPORT OF THE COMMITTEE ON CONSTRUCTION, WHARVES, AND DOCKS

Commissioner Lewis conducted the hearing with Arco, who had applied for permission to construct a new mooring dolphin at Berth A - Fort Mifflin Terminal. Proper Advertisement has been completed. All adjacent property owners were notified. No response was received.

Commissioner Weston suggested that Arco acquire an application from the DER, Norristown office.

The Commission will reserve the issuance of a permit until a deed is acquired.

The status of pending legislation was discussed regarding water obstructions. A bill understood from the Public Welfare Commission would involve a major change in the procedure of acquiring permits and proprietory rights necessary for the construction of projects in or adjoining Pa. waterways. The draft bill requires a single permit issued by the DER regardless of the location of the facility. Tidal portions of the Delaware River and its navigable tributaries would require the approval of the Navigation Commission prior to the DER issuance. However, if the Navigation Commission takes no action within 60 days following receipt of a complete application, it would be deemed approved by the Commission. The Act would allow DER to issue a lease or easement for projects located in navigable waterways.

Commissioner Lewis summarized construction applications as follows:

Leonard Contino	Waiting for a revised application
Arco Pipeline	Legislation pending for deed
Sun Ship	Legislation pending for deed
Sun Oil	Legislation pending for deed
Gulf Oil	Counsel will look into the status of Gulf Oil; waiting for the City of Philadelphia to co-sign

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Commissioner Lewis noted that he will be unable to attend the next regular meeting. He requests that it be held on March 21, 1978. It was requested that Chairman Blankenship send a letter to the Commissioners expressing concern over the inability of members to attend the meetings. If another time would be more conducive, members should notify the Chairman.

John Roberts will write a letter for Secretary Reece to Charles J. Blankenship expressing the condolences of the Navigation Commission.

There being no further business the meeting adjorned.

Respectfully,

Carol Rosenbloom
Administrative Assistant
Navigation Commission

ATTENDANCE COMMISSION MEETING FEBRUARY 14, 1978

John S. Roberts, Jr., Counsel	Dept. of Commerce
Commissioner William T. Lewis	Navigation Commission
Commissioner R. Timothy Weston	Dept. of Environmental Resources
Carol Rosenbloom (administrative asst)	Navigation Commission
Agnes Coya (executive secretary)	Navigation Commission
David F. Scranton	Arco attorney
Wilbur A. Schaid	Arco Pipeline Project Mgr.
Robert J. Fisher	Vice Pres. S.T. Hudson Engineers, Inc

MINUTES
DEPARTMENT OF COMMERCE
NAVIGATION COMMISSION FOR THE DELAWARE RIVER
AND ITS NAVIGABLE TRIBUTARIES

Philadelphia
April 11, 1978

The Stated Meeting of the Navigation Commission for the Delaware River and its Navigable Tributaries was held on Tuesday, April 11, 1978 in Room 1312 Philadelphia State Office Building, Philadelphia. The meeting was convened by designated Chairman Charles J. Blankenship. A roster of those in attendance is attached.

The minutes were approved from the previous meeting held on February 14, 1978.

REPORT OF THE CHAIRMAN

The Advisory Task Force has reviewed provisions of out-dated Navigation Commission laws, and has drafted a contemporary Navigation Commission Law. The draft law will contain provisions for construction permits. An addition to the Navigation Commission's construction permits will be added to the back stating that applicants must also acquire a permit from the Department of Environmental Resources. Counsel will present a draft to the Commission.

A RESOLUTION OF APPRECIATION has been drafted; being resolved by Commissioner Lewis and seconded by Commissioner Gallagher, the resolution was adopted. It will be presented to those members of the Advisory Task Force who provided valuable advise and counsel to the Navigation Commission on the drafting of a contemporary Navigation Commission Law.

REPORT OF THE COMMITTEE ON PILOTAGE AND NAVIGATION

Questions asked by Commissioner Elliot were answered promptly and satisfactorily by both Captains John P. Cuff and Edward J. McGuiness.

It was recommended that the indicated pilots be upgraded to Second Rate Status, to which the Commission Body agreed. Chairman Blankenship presented licenses authorizing them to draw 40 feet of water and 40,000 tons, effective April 11, 1978 for the period of one year.

Chairman Blankenship requested Captain Guilday to appoint at least three pilots of the first class to examine the qualifications of First Rate Pilots and to advise the Commission of their findings at the next meeting.

The Commission reviewed the two pilot accident reports. There being no damage or evidence of pilot misconduct, negligence or incapacity, it was agreed upon not to call the two First Rate Pilots before the Commission prior to annual license renewal.

REPORT OF THE COMMITTEE ON CONSTRUCTION, WHARVES, AND DOCKS

Leonard Contino has supplied the Navigation Commission with a completed application and the appropriate fee. Engineer Woodford stated no objection; all being in order with the rules of the Navigation Commission.

Upon motion made and accepted, a hearing for Leonard Contino will be held on May 9, 1978. Counsel will take care of the proper advertisement and send letters to the adjacant property owners notifying them of the hearing.

A new notice has been prepared for the purpose of "Notice Posting."

The following have requested applications for construction permits:

Israel Zeitz
6448 Woodland Avenue
Philadelphia, PA. 19142

Allied Towing Corporation
P.O. Box 717
Norfolk, Virginia 23501

Commissioner Elliot suggested that a joint meeting be held with the Delaware Commission. Chairman Blankenship suggested holding the meeting in Hershey, and he will find out what dates are available at the Hershey Hotel. Tentative dates will be discussed at the next regular meeting.

Captain Guilday advised the Commission that he will submit documentation of the problems pilots have had with the opening of the Delair Railroad Bridge.

The next meeting of the Navigation Commission will be held on Tuesday, May 9, 1978 at 11 a.m.

There being no further business the meeting adjorned.

Respectfully,

Carol Rosenbloom
Administrative Assistant
Navigation Commission

ATTENDANCE COMMISSION MEETING APRIL 11, 1978

Charles J. Blankenship, presiding	Dept. of Commerce
Elizabeth H. Mai, Counsel	Dept. of Commerce
Commissioner William T. Lewis	Navigation Commission
Commissioner Stephen P. Gallagher	Navigation Commission
Commissioner Richard H. Elliot	Navigation Commission
Albert S. Woodford (consulting engineer)	Navigation Commission
Carol Rosenbloom (administrative asst.)	Navigation Commission
Agnes Coya (executive secretary)	Navigation Commission
Captain Edward J. McGuiness	Second Rate Pilot
Captain John P. Cuff	Second Rate Pilot

Captain Edward F. Taylor (Pilot's Committee to Advise Commission)
Captain Joseph W. Guilday(Pilot's Committee to Advise Commission)
Captain Paul Lane Ives (Pilot's Committee to Advise Commission)

MINUTES
DEPARTMENT OF COMMERCE
NAVIGATION COMMISSION FOR THE DELAWARE RIVER
AND ITS NAVIGABLE TRIBUTARIES

Philadelphia
May 9, 1978

The Stated Meeting of the Navigation Commission for the Delaware River and its Navigable Tributaries was held on Tuesday, May 9, 1978 in Room 1312 Philadelphia State Office Building, Philadelphia. The meeting was convened by designated Chairman Charles J. Blankenship. A roster of those in attendance is attached.

The minutes were approved from the previous meeting held on April 11, 1978.

REPORT OF THE COMMITTEE ON CONSTRUCTION, WHARVES, AND DOCKS

A hearing was scheduled for the application of Leonard Contino for a permit to approve construction of a floating dock and a previously constructed bulkhead.

Counsel to the Commission, John Roberts, provided a brief history of the matter:

On September 1, 1977, William Johnson of the Army Corps of Engineers, sent Mr. Woodford copies of letters from neighbors objecting to Mr. Contino's application for a floating dock and objecting to the previously constructed bulkhead.

On October 11, 1977, Mr. Woodford presented the objecting letters to the Commission which, in turn, directed Counsel to notify the District Attorney of Bucks County that the Commission had reason to believe that a State statute had been violated because of the construction of the bulkhead.

On October 14, 1977, the District Attorney of Bucks County, called Counsel for the Commission and advised him that the alleged matter must be investigated by the State Police before it can be pursued by the District Attorney's office. On the same date, Mr. Contino's attorney, John Swaim, Esquire, called to advise that approval of the bulkhead had been given by the Commission in 1971.

Investigation into the Commission's records revealed the following:

On May 20, 1969, Mr. Contino submitted an application to the Commission for a permit to construct the bulkhead.

On July 7, 1969, the Commission conducted a hearing on Mr. Contino's application.

On September 9, 1969, Royce E. Beatty, then Consulting Engineer to the Commission, recommended against issuing a permit because the plans submitted with the application indicated an encroachment beyond the line of adjoining properties. However, Mr. Beatty also indicated that he would recommend the application if the plans were revised so that the maximum encroachment beyond the high water line was six feet.

Also on September 9, 1969, the Commission advised Mr. Contino that his application for a permit was refused but advised him that the application would be reconsidered if the plans were amended.

On August 18, 1971, in connection with an application by Mr. Contino to the Army Corps of Engineers for approval of the bulkhead, Mr. Walls advised Mr. Contino by letter that the Commission "interposes no objection" to the construction of the bulkhead.

On November 10, 1977, at a meeting of the Commission attended by Mr. Contino and his attorney, the Commission was advised to the foregoing history of the matter. Mr. Contino agreed to submit a new combined application for the construction of both the bulkhead and the floating dock.

On December 16, 1977, Counsel to the Commission advised Mr. Contino and his attorney by letter of the Commission's order to submit the combined application.

On March 11, 1978, Mr. Contino submitted an application for a floating dock but not the bulkhead.

On April 11, 1978, the Commission ordered that a hearing be held at the regular May meeting.

On April 19, 1978, Mr. Contino was advised by Counsel to advertise the hearing for both the bulkhead and the floating dock, and adjoining landowners and others were notified of the hearing.

During the week of April 24, 1978, Mr. Contino's attorney called Counsel to the Commission to protest the holding of a hearing with respect to the bulkhead and indicated that he might not advertise the hearing with respect to the bulkhead. He was advised by Counsel to the Commission that failure to properly advertise in accordance with the Commission's orders might result in requirement for another hearing and additional expense to his client.

Between April 24, 1978 and May 9, 1978, letters protesting the granting of a permit were received from various neighbors.

Mr. Contino and his attorney, John Swaim, Esquire, were present at the hearing. Also, two neighbors, Joseph Szafranski and Warren C. Worthington were present to protest the granting of an application.

The Commission was advised that notices of the hearing had been properly posted on the premises and that adjoining landowners had been notified. However, the hearing had not been properly advertised in newspapers as directed by the Commission and required by statute. Consequently, upon advice of Counsel, the Commission resolved not to conduct a formal hearing. However, in the interest of fairness the

Commission, with the approval of Mr. Contino and his attorney, did permit Mr. Szafranski and Mr. Worthington to voice their objections to the permit. Essentially, Messrs. Szafranski's and Worthington's objections were as follows:

(a) That the construction extended beyond the low watermark.

(b) The construction was hazardous to navigation.

(c) The construction cut off a tributary of Neshaminy Creek, thereby eliminating a natural waterway to the rear of the property of Douglas E. New.

(d) The construction constitutes a cutoff which tends to create a backwash or eddy.

(e) Mr. Contino has filled in land beyond his deed ownership.

(f) The actual construction does not comply with the plans submitted to the Navigation Commission.

Mr. Contino presented a copy of his deed to the premises and also supplied the Commission with photographs and a plan of property.

Evidence was presented that the Army Corps of Engineers has no objection to the project's construction. Engineer Woodford stated that the plan submitted with the application demonstrated good engineering practice if the structure coincided with such plan. Mr. Woodford did suggest, however, that Mr. Contino angle the sides of the floating dock to prevent backwash from occurring.

After a lengthy discussion, the Commission ordered that a hearing for a permit for both the floating dock and the existing bulkhead be held at the regular July 11, 1978 meeting and that Mr. Contino must meet with the following requirements:

(a) He must submit a new application for both the bulkhead and the floating dock.

(b) The new application must be properly advertised for the July meeting.

(c) The new application must be accompanied by a survey showing the as-built location of the bulkhead.

Mr. Swaim agreed to forward a letter to Counsel advising of his clients intentions prior to the next meeting.

Commissioner Lewis summarized the status of construction applications as follows:

ARCO PIPELINE CO.
SUN SHIPBUILDING & DRY DOCK CO.
SUN OIL CO. > Enabling legislation has passed the House, and has been sent to the Senate.

GULF OIL CO.---------- legislation pending to purchase land.

LEONARD CONTINO---------- hearing rescheduled for July.

REPORT OF THE COMMITTEE ON PILOTAGE AND NAVIGATION

Upon review by the Committee and with the approval of the Advisory Pilot's Committee, motion was made and unanimously approved to renew the licenses of all First Class Pilots with the following exceptions:

E. A. DAVIS
J. A. HAGGERTY
J. C. JOHNSON
J. G. MALONEY

The aforementioned pilots will receive new licenses if currently valid evidence of radar certification is submitted to the Commission before July 11, 1978.

Chairman Blankenship reported that he had received correspondence from Captain Guilday indicating that the problem of the opening of the Delair Railroad Bridge was corrected and no further action was required.

REPORT FROM THE AD HOC COMMITTEE ON THE NEW NAVIGATION COMMISSION LAW

The draft of the proposed contemporary Navigation Commission Law was presented to the Commissioners to review.

CHAIRMAN'S REPORT

A joint meeting of the Delaware Pilot's Commission will be held on September 8 to 10 at the Hershey Country Club. All agreed that the itinerary was acceptable. Areas to be discussed at the joint meeting are:

a. harbour masters
b. apprentices
c. new Navigation Commission Law

The next stated meeting of the Navigation Commission will be held on Tuesday, June 13, 1978 at 11:00 A.M. for the purpose of discussing provisions of the new Navigation Commission Law.

There being no further business to discuss at this time

ON MOTION: Meeting adjourned.

Respectfully submitted,

Agnes Coya

AGNES COYA
Executive Secretary
Navigation Commission

ATTENDANCE COMMISSION MEEETING MAY 9, 1978

Charles J. Blankenship, Presiding	Dept. of Commerce
John S. Roberts, Jr. Counsel	Dept. of Commerce
Commissioner Richard H. Elliott	Navigation Commission
Commissioner John Fay	Navigation Commission
Commissioner William T. Lewis	Navigation Commission
Commissioner Daniel I. Murphy	Navigation Commission
Commissioner R. Timothy Weston	Navigation Commission
Albert S. Woodford, Consulting Eng.	Navigation Commission
Agnes Coya, Secretary	Navigation Commission
Captain R.W.Bailey, Sr.	Pilots' Advisory Committee
Captain T. L. Cluff	Pilots' Advisory Committee
Captain J. F. Bradley	Pilot's Advisory Committee
Captain J. H. Howard	Pilot's Advisory Committee
Leonard Contino	Self
John Swaim, Esquire	Leonard Contino
Warren Worthington	
Joseph Szafranski	

MINUTES

DEPARTMENT OF COMMERCE
NAVIGATION COMMISSION FOR THE DELAWARE RIVER AND ITS
NAVIGABLE TRIBUTARIES

Philadelphia
June 13, 1978

The Stated Meeting of the Navigation Commission for the Delaware River and its Navigable Tributaries was held on Tuesday, June 13, 1978, in Room 1312, Philadelphia State Office Building, Philadelphia, Pennsylvania. The meeting was convened by designated Chairman John S. Roberts, Jr. A roster of those in attendance is attached.

The minutes were approved from the previous meeting held on May 9, 1978.

Acting Chairman Roberts distributed copies of a letter from Leonard Contino's attorney, John J. Swaim, Jr., stating that no further applications would be submitted to the Navigation Commission regarding the existing bulkhead on his property. After discussion, the Commission directed Mr. Roberts, in his capacity as Counsel to the Commission, to advise Mr. Contino and his attorney that unless an application for the bulkhead is submitted to the Commission at or before its July meeting, the Commission will take whatever steps are necessary to enjoin the violation of the Navigation Commission statute and to seek appropriate relief.

The Commission then discussed at length the proposed amendments to the Navigation Commission law, which were distributed at the May meeting. Discussion centered around the proposed amendments to the statutes dealing with pilots and pilotage. The representatives of the Maritime Exchange and the Pilots' Association took an active part in the discussion. As a result of the discussion, certain revisions to the proposed law were agreed upon by the Commission, which

revisions are set forth in an addendum to these minutes.

There being no further business the meeting adjourned.

Respectfully submitted,

John S. Roberts, Jr.
Acting Chairman

ENDANCE COMMISSION MEETING June 13, 1978

ohn S. Roberts, Jr., Acting Chairman	Department of Commerce
ommissioner Richard H. Elliott	Navigation Commission
ommissioner William T. Lewis	Navigation Commission
ommissioner Daniel I. Murphy	Navigation Commission
ommissioner R. Timothy Weston	Navigation Commission
aptain Joseph Guilday, President	Pilots Association
aptain Robert W. Bailey, Sr.	Advisory Pilot's Committee
illiam Harrison	Maritime Exchange
oseph Barone, Esquire	Maritime Exchange
ohn Galloway	Gulf Oil
gnes Coya, Secretary	

ADDENDUM

Section 3.--Administration.

* * * *

(b) Composition of Commission.

The Commission will consist of nine members as follows:

(1) Four appointed by the Governor, by and with the advice and consent of a majority of the members of the Senate:

(i) two of whom shall be residents of Delaware County;

(ii) ~~one~~ two of whom shall be a residents of Bucks County; and

(iii) one of whom shall be a resident of Philadelphia County.

(2) Two appointed by the Mayor of the City of Philadelphia.

(3) One to be Secretary of Environmental Resources or his designee who will serve ex officio.

~~(4) One to be the Director of Commerce of the City of Philadelphia or his designee who shall serve ex officio.~~

(4) One to be Secretary or his designee, who shall serve ex officio.

* * * *

(j) The Commission shall by regulation provide for the formation of and procedures for a standing advisory committee composed of equal numbers of licensed Pennsylvania pilots and persons representing the maritime industry in Pennsylvania.

Section 5.--Pilots and Pilotage

(a) Authority.

The Commission is authorized to

(i) grant licenses to persons to act as pilots in the Delaware Bay and ~~Delaware~~ the River and to make rules for their ~~government~~ conduct while employed in that service,

(ii) ~~to~~ decide, on application of the parties in interest, all differences which may arise between masters, owners and consignees of ships and vessels, and pilots,

(iii) ~~fix rates and~~ settle disputes with regard to charges for special pilotage services,

(iv) ~~and to~~ take the necessary action to enforce the laws of the Commonwealth pertaining to pilots and pilotage in the Delaware Bay and ~~Delaware~~ the River, and

(v) ~~to make, ordain, and publish~~ adopt such rules and regulations ~~with such penalties for the breach thereof in respect of the matters aforesaid, as they shall deem fitting and proper~~ as are necessary to carry out these powers.

(b) Application.

Every person not now a licensed pilot, and every pilot holding an appointment as an apprentice pilot or a fourth, third, or second class pilot license, and who desires to exercise the profession of pilot or who desires to be licensed for the next higher class of pilot, in the Delaware Bay and ~~Delaware~~ the River shall apply to the Commission for a license to follow that occupation. Application for appointment as an apprentice pilot or for a fourth, third, second, or first class license, shall

served at least one year as a fourth class pilot.

(iii) No license of the second class shall be granted to any person who has not served one year in the fourth class and at least one year in the third class.

(iv) No license of the first class shall be granted to any person who has not served a total of at least four years in the second, third, and fourth classes, with at least two years of such service having been served in the second class.

(v) The Commission shall adopt ~~may by~~ regulations establishing ~~such~~ additional ~~reasonable~~ physical and other qualifications for each class of pilots as it may deem necessary.

(vi) During the last two years of apprenticeship, each apprentice shall make at least 100 trips each year up or down the River in vessels piloted by first or second class pilots. The Commission may by regulation require such additional trips as it may deem necessary.

(vii) The Commission shall adopt regulations insuring that each pilot and apprentice utilizes the best available training materials and procedures, taking into consideration the physical characteristics of the Delaware Bay and the River, and the types of ships and vessels required to utilize their services.

* * * *

(q) ~~The Commission shall fix the charges for special pilotage services including such items as shifting~~

~~within-a-harbor-or-to-and-from-an-anchorage,-the number-of-pilots-to-be-employed-in-the-event-that a-vessel-is-being-towed,-the-number-of-hours-of consecutive-pilotage-service-that-shall-be required-of-one-pilot,-instrument-calibration, detention-and-cancellation-of-movement.~~ In all cases when extraordinary services have been rendered by any pilot or pilots, the Commission shall, in case the parties cannot agree, determine the compensation to be allowed for such services. When fixing such charges, the Commission shall ascribe such amounts as will be a fair charge for the service rendered and to accomplish this purpose shall have due regard to necessary operating expenses, maintenance of, depreciation on and return on investment in properties used and useful in the business of pilotage, the charges of such pilotage services at comparable and competing ports of the United States.

DEPARTMENT OF COMMERCE
NAVIGATION COMMISSION FOR THE DELAWARE RIVER
AND ITS NAVIGABLE TRIBUTARIES

Philadelphia
July 11, 1978

The stated meeting of the Navigation Commission for the Delaware River and its Navigable Tributaries was held on Tuesday, July 11, 1978 in Room 1312, Philadelphia State Office Building, Broad and Spring Garden Street, Philadelphia, Pennsylvania. The meeting was convened by designated Chairman Charles J. Blankenship. A roster of those in attendance is attached.

Chairman Blankenship reported that the Navigation Commission was allocated $81,000. for operational expenses for the fiscal year 1978-79, an increase of $4,000. He also stated that the Navigation Commission operated in the black the last fiscal year.

Chairman Blankenship produced letters of thanks he received from the Advisory Task Force in answer to a 'Resolution of Appreciation' for thier advice and counsel in the drafting of an updated Navigation Commission Law.

A sample copy of a contemplated pilots license which will include the pilot's photograph was presented by Chairman Blankenship to be ratified at the next stated Commission Meeting to be held on Tuesday, Auguat 8, 1978.

Mr. Roberts, Chief Counsel for the Navigation Commission discussed at great length the status of existing bulkhead constructed by Leonard Contino illegally. Mr Roberts produced and distributed copies of a letter he directed to Mr. Swaim, Attorney representing Leonard Contino, in part, which reads;' if an application for the existing bulkhead is not submitted to the Commission at or before its meeting on July 11, 1978, the Commission will take whatever steps are necessary to enjoin the violation and seek appropriate relief. Mr. Roberts reported that he received no reply from Mr. Swaim regarding the indicated letter.

- more -

Commissioner Weston suggested that a change in the language of the herein referenced section be considered:

SECTION 5 (r) Amendment to read.

(i) If the Commission determines that any person having a license as a pilot has without reasonable justification refused or willfully neglected to execute the duties of a pilot, such person shall forfeit his license.

(ii) If the Commission determines that any pilot has entered into any combination for the purpose of preventing any other person from executing his duties, as a pilot, shall forfeit his license.

The next stated meeting of the Navigation Commission will be held on Tuesday, August 8, 1978 at 11:00 A.M.

There being no further business to discuss at this time meeting adjourned.

Respectfully submitted,

Agnes Coya

AGNES COYA
Executive Secretary
Navigation Commission

ATTENDANCE COMMISSION MEETING JULY 11, 1978

Charles J. Blankenship, Presiding	Department of Commerce
John S. Roberts, Jr. Counsel	Department of Commerce
Commissioner John Fay	Navigation Commission
Commissioner Stephen P. Gallagher	Navigation Commission
Commissioner William T. Lewis	Navigation Commission
Commissioner R. Timothy Weston	Navigation Commission
Senator Joseph Smith	Navigation Commission
Agnes Coya, Secretary	Navigation Commission

MINUTES

DEPARTMENT OF COMMERCE
NAVIGATION COMMISSION FOR THE DELAWARE RIVER
AND ITS NAVIGABLE TRIBUTARIES

Philadelphia
August 8, 1978

The Stated Meeting of the Navigation Commission for the Delaware River and its Navigable Tributaries was held in Room 1312, Philadelphia State Office Building, Philadelphia, Pennsylvania on Tuesday, August 8, 1978. The meeting was convened by designated Chairman Charles J. Blankenship. A roster of those in attendance is attached.

REPORT OF CHAIRMAN

Chairman Blankenship discussed recommendations made by the Legislative Finance and Budget Committee Staff relative to the Navigation Commission's upgrading of fees for construction permits and pilot's licenses issued by the Navigation Commission.

Chairman Blankenship stated that he was advised that the deadline for submitting request for fiscal year 1979-80 funds is October 1, 1978. As a result, discussion ensued as to the need or deletion of snag boat activities within Navigation Commission functions. He(Blankenship) further stated that in a research made a new boat to replace the existing snag boat would cost about $300,000. or approximately $75,000. per annum on a lease/purchase. Commissioner Gallagher moved that a budget request be submitted to replace snag boat, seconded by Commissioner Lewis.

Motion passed.

Chairman Blankenship stated that the new Navigation Commission Law, Pilot Section was completed for submission to the General Assembly as a replacement for old pilot law.

Motion was passed to submit draft to General Assembly.

- more -

REPORT OF COMMITTEE ON
CONSTRUCTION WHARVES AND DOCKS

The purpose of the meeting of the Committee on Construction, Wharves and Docks was held this date to resolve the problem of Mr. Leonard Contino relative to an existing bulkhead in front of his property in Croydon, Pennsylvania. Mr. Swaim, attorney for Mr. Contino stated that he was requested by John S. Roberts, Jr., Counsel to the Commission to attend said meeting. Subsequent to a lengthy discussion, Mr. Swaim was advised to instruct his client (Contino) to submit a new application for a floating dock at the referenced site and to include the existing bulkhead for which there is no permit on file with the Navigation Commission. Mr. Swaim was further advised that upon receipt of the aforementioned application a public hearing will be held on Tuesday, October 10, 1978. Mr. Contino and all interested parties will be notified to attend.

Commissioner Lewis provided a brief history as to the status of pending applications on file with the Navigation Commission -

ARCO PIPELINE CO. SUN OIL COMPANY SUN SHIPBUILDING & DRY DOCK CO.	STILL IN SENATE
GULF OIL COMPANY	AWAITING CO-SIGNATURE CITY OF PHILADELPHIA
GULF OIL COMPANY	PENDING

REPORT OF COMMITTEE ON
PILOTS AND PILOTAGE

Commissioner Murphy discussed the authority, if any, the Navigation Commission has on accidents experienced by Pennsylvania State Pilot in Federal Waters. Proposed medical examination forms were distributed to each Commissioner for his review and comment. Further discussion centered around the appointment of apprentice pilot trainees. Elizabeth Mai, Counsel to the Department of Commerce stated that the Navigation Commission has no authority to make such appointments. As a result, motion was made to rescind earlier motion to submit draft of new pilot law to the General Assembly.

Motion passed

ATTENDANCE NAVIGATION COMMISSION MEETING AUGUST 8, 1978

Charles J. Blankenship, Presiding	Department of Commerce
Elizabeth Mai, Counsel	Department of Commerce
Commissioner R. H. Elliott	Navigation Commission
Commissioner S. P. Gallgher	Navigation Commission
Commissioner W. T. Lewis	Navigation Commission
Commissioner D. I. Murphy	Navigation Commission
Commissioner R. T. WEston	Navigation Commission
John J. Swaim, Jr.	Leonard Contino
Agnes Coya, Secretary	Navigation Commission

Philadelphia
August 8, 1978

SUBJECT: Supplement to Minutes
Commission Meeting July 11, 1978

TO: Chairman and Commissioners
Navigation Commission for the Delaware River
And Its Navigable Tributaries

FROM: Agnes Coya
Executive Secretary
Navigation Commission

Through inadvertent omission several points of discussion were not included in the prepared Minutes applicable to the Commission Meeting of July 11, 1978. To correct the subject referred Minutes this memorandum is prepared as a supplement thereto and is considered part thereof for all record purposes.

CORRECTION

The change in its composition in the proposed law voted by the Commission at its meeting of July 11, 1978, adding one member from Bucks County, deleting Director of Commerce, City of Philadelphia was rescinded.

The Director of Commerce of the City of Philadelphia was reinstated on the Commission second vote. The votes on both motions were as follows:

In favor of deleting the changes :
Commissioners Fay, Gallagher and Senator Smith

Against deleting the changes:
Commissioners Lewis and Weston

Absent, not voting
Commissioners Elliott, Murphy and LaSala

MINUTES
OF THE
JOINT MEETING OF THE PENNSYLVANIA NAVIGATION COMMISSIONERS,
DELAWARE PILOT COMMISSIONERS AND
THE PILOTS' ASSOCIATION FOR THE BAY AND RIVER DELAWARE

September 9, 1978

The meeting of the Pennsylvania and Delaware Commissions was held September 9, 1978 at the Hershey Country Club in Hershey, Pa. The attendees were as follows:

DELAWARE:
Captain John P. Joseph
Captain William E. Lowe, Jr.
Commissioner Samuel C. Pierce, Jr.
Captain William G. Dorsey
Captain James S. Roberts
Merritt Burke, II, Esq.

PENNSYLVANIA:
Charles J. Blankenship, Presiding
Commissioner Richard H. Elliott
Commissioner William T. Lewis, Jr.
Commissioner Daniel I. Murphy
John S. Roberts, Esq.
Commissioner R. Timothy Weston

PILOTS' ASSOCIATION FOR THE BAY AND RIVER DELAWARE:
Captain Joseph W. Guilday

1. The minutes of the previous joint meeting of 1977 in Delaware were read by Commissioner Samuel Pierce.

2. Each Commission reported on activities during the past year and exchanged copies of pilot licenses.

3. Captain Guilday reported for the joint committee on Off-shore Advisors. He advised the Commissioners that a boat had been chartered and 46 pilots made the tour of the Off-shore navigation area. These pilots are also receiving LORAN and OMEGA training. The Off-shore training had been made mandatory as a requirement for renewal of a pilot's license by the Delaware Commission. Off-shore training and service is voluntary for Pennsylvania license to pilots.

4. Commissioner Lewis reported that he had been advised that the Coast Guard was licensing docking masters as pilots and that since Coast Guard jurisdiction is currently extended only to ships engaged in coastal trade he recommended action by the joint commissions to study the problem of docking masters piloting ships engaged in foreign trade. Captain Guilday produced a copy of a January 6, 1917 letter from the Board of Commissioners of Navigation stating in part that it was their opinion that pilots licensed by the Board "are neither required nor authorized to direct the docking or undocking of a vessel. Since the advent of steam vessels, the custom of the Port has been

that they shall be put into and taken out of dock under the sole direction of either the Masters or those in charge of the Tugs employed for that purpose. It has been the invariable custom that a vessel is not taken over by the pilot until after she has come out of the dock, and been straightened on her course; and when inward bound his responsibility ceases when the Tugs make fast to dock her." A joint committee on docking pilots was established composed of Commissioner Lewis, Commissioner Elliott, Commissioner Roberts, and Commissioner Lowe.

5. Delaware Commission President Joseph reported on the problem of hazardous ship ladders and recommended regulatory action on the standards of pilot ladders similar to those contained in the International Conference on Safety of Life at Sea, 1960, Chapter V, Regulation #17. It was decided that the Delaware Commission would adopt regulations or procedures for Delaware pilots and forward copies of their action to the Pennsylvania Commission.

6. Eugene Slaski, history professor of the Pennsylvania State University, Allentown Campus, reported on his research into the history of the Wardens for the Port of Philadelphia.

7. Commissioner Joseph reported on the problem of the responsibility for the decision to move ships under hazardous conditions and read a 1969 letter to all Delaware pilots which he intended to reissue. The letter stated that a pilot shall refuse to assume his duties until such time as it is in his opinion safe to proceed if he considers it unwise for a ship to get under way because of weather or tide.

8. Commissioner Murphy reported on the discussions of the Pennsylvania Commission on the issue of apprenticeships. Commissioner Elliott reported that the Pennsylvania Commission plans to conduct public hearings on the number of apprentices to be indentured. A consensus was reached that both Commissioners should as a matter of policy plan for the orderly replacements of retiring First Class Pilots.

9. Prior to adjournment the Delaware Commissioners extended an invitation to the Pennsylvania Commissioners to meet next year in Delaware.

MINUTES

DEPARTMENT OF COMMERCE

NAVIGATION COMMISSION FOR THE DELAWARE RIVER
AND ITS NAVIGABLE TRIBUTARIES

Philadelphia
October 10, 1978

The Stated Meeting of the Navigation Commission for the Delaware River and its Navigable Tributaries was held in Room 1312, Philadelphia State Office Building, Philadelphia, Pennsylvania on Tuesday, October 10, 1978. The meeting was convened by designated Chairman Charles J. Blankenship. A roster of those in attendance is attached.

Motion made by Commissioner Murphy, seconded by Commissioner Elliott that the Minutes of the previous meeting be accepted as written.

Motion passed.

REPORT OF CHAIRMAN

Chairman Blankenship distributed copies of minutes of a joint conference, Pennsylvania and Delaware State Pilot Commissions held on September 9, 1978 in Hershey, Pennsylvania.

Chairman Blankenship extended invitation to the Commissioners to attend a joint meeting between the Commissioners of the states of New Jersey, New York and Pennsylvania to be held on November 2, 1978 aboard the USS "OLYMPIA" in Penn's Landing.

REPORT OF COMMITTEE ON
CONSTRUCTION, WHARVES AND DOCKS

Commissioner Lewis,Acting Chairman, Committee on Construction, Wharves and Docks called the meeting to order. Said meeting was held to consider applications submitted by Leonard Contino and Sun Oil Company of Pennsylvania.

Mr. George Franklin, representing Sun Oil Company was presented to the Commission. Mr. Franklin was asked to explain in detail the exact nature of said improvement.

Mr. Franklin was advised that, in accordance with Attorney General Opinion No. 78-19, a construction permit applicant need only to produce a deed to the riparian land; title to the land in the riverbed is not required. After discussion, counsel was directed to forward a copy of Opinion No. 78-19 to General Services. Motion made by Commissioner Lewis, seconded by Commissioner Elliott that a permit be granted to the Sun Oil Company.

Motion passed.

Commissioner Lewis called Mr. Contino and all interested parties to appear before the Commission. He(Lewis) stated that a recording of the hearing was being made for record purpose.

Counsel advised Mr. Contino and all interested parties that the consideration of the Commission was limited to matters pertaining to navigational hazard and obstruction.

All interested parties were given opportunity to voice their opinions and to offer testimony in rebuttal (Regretfully tape ran out before all testimony was completed). Upon completion of testimony the commission took the matter under advisement.

- more -

REPORT OF COMMITTE ON CONSTRUCTION, WHARVES AND DOCKS CONT'D

In review of correspondence submitted by Mr. Thomas W. Belk, Jr., it was dtermined that the requirements of the Navigation Commission were met, therefore, no extension of license is necessary and Mr. Belk will be so advised.

ACTIONS TAKEN BY THE COMMISSION

Sun Shipbuilding & Dry Dock Co. (2)	Files Closed
Sun Oil Company	File Closed
Arco Pipe Line Company	File Closed
Gulf Oil Corporation	File Closed

OTHER ACTIONS TAKEN

Leonard Contino	Under Advisement
Thomas W. Belk, Jr.	Permit Cont'd

REPORT OF COMMITTEE ON PILOT AND PILOTAGE

Commissioner Murphy, Chairman of the Committee on Pilot and Pilotage reported on the matter of pilots physical qualifications. Written and oral comments were submitted by Dr. Alexander B. Rakow,D.O., Medical Consultant,Department of Health; Dr. William F. Hushion, a specialist in Industrial Medicine; Dr. Joseph Venuto, Optometrist; Captain Bailey on behalf of the Pilots Assoication for the Bay and River Delaware and William Harrison on behalf of the Maritime Exchange.

Captain Bailey brought to the attention of the Commission a letter submitted by Captain James L. Miller requesting that his first class license be reduced to second class.

Captain Miller will be advised to submit a formal application requesting reduction in his current license, for consideration by the Commission at their scheduled meeting to be held on Tuesday, November 14, 1978.

It was agreed upon that letters of appreciation be directed to Drs. Rakow, Hushion and Venuto thanking them for their valuable advice regarding pilots physical qualifications. Motion made by Commissioner Lewis, seconded by Commissioner Elliott that the letters be written.

Motion passed.

The next stated meeting of the Navigation Commission will be held on Tuesday, November 14, 1978.

There being no further business to discuss at this time - ON MOTION- By Chairman Blankenship, seconded by Commissioner Lewis----Meeting adjourned.

Respectfully submitted,

Agnes Coya

AGNES COYA
Executive Secretary
Navigation Commission

ATTENDANCE COMMISSION MEETING, OCTOBER 10, 1978

	REPRESENTING
Charles J. Blankensip, Presiding	Department of Commerce
Elizabeth H. Mai, Counsel	Department of Commerce
Commissioner R. H. Elliott	Navigation Commission
Commissioner D. I. Murphy	Navigation Commission
Commissioner W. T. Lewis	Navigation Commission
Agnes Coya, Secretary	Navigation Commission
Albert S. Woodford, Eng.	Navigation Commission
George F. Franklin	Sun Oil Company
Leonard Contino	Self
J. J. Swaim, Esq.	Leonard Contino
A. C. Anthony, Consulting Eng.	Leonard Contino
Frank Schilling	Leonard Contino
R. A. Gallagher, Esq.	Leonard Contino
J. A. Szafranski	Self
J. E. Szafranski(Mrs.)	Self
Warren Worthington	Self
Harold McKale	Self
Julia Perez(Mrs.)	Self

MINUTES

DEPARTMENT OF COMMERCE

NAVIGATION COMMISSION FOR THE DELAWARE RIVER
AND ITS NAVIGABLE TRIBUTARIES

Philadelphia
November 14, 1978

The Stated Meeting of the Navigation Commission for the Delaware River and its Navigable Tributaries was held in Room 1312, Philadelphia State Office Building, Philadelphia, Pennsylvania on Tuesday, November 14, 1978. The meeting was convened by designated Chairman Charles J. Blankenship. A roster of those in attendance is attached.

Motion made by Commissioner Lewis, seconded by Commissioner Weston that the Minutes of the previous meeting be accepted as written. Motion passed.

REPORT OF CHAIRMAN

Chairman Blankenship produced and read a letter he received from the New York Commission expressing appreciation regarding the joint meeting between the New Jersey, New York, Delaware and Pennsylvania Commissions held on November 2, 1978 at Penn's Landing aboard the USS Olympia.

Chairman Blankenship reported that the Deputy Director of Commerce, City of Philadelphia will accept invitation to attend commission meetings if agreed by the Navigation Commission. He (Blankenship) directed Counsel to look into the matter and report her findings at the next scheduled meeting of the Commission.

Aspects of the Snag Boat and the crew's training of maritime law necessary for licensing were reported by Chairman Blankenship.

REPORT OF COUNSEL

Elizabeth Mai, Counsel to the Commission, advised that she had notified the Department of General Services of the Commission's issuance of a construction permit to Sun Oil Co. on the basis of the deed to the riparian land and forwarded a copy of Attorney General Opinion 78-19 for future reference. Ms. Mai also reported on potential right of the public to obtain pilot physical examination reports on file with the Commission pursuant to right-to-know legislation.

REPORT OF COMMITTEE ON CONSTRUCTION, WHARVES AND DOCKS

Commissioner Lewis, Acting Chairman, Committee on Construction, Wharves and Docks discussed the pending application of Mr. Leonard Contino, which meets with the Navigation Commission criteria. Commissioner Lewis made motion to grant Mr. Contino a permit, subject to DER permit, seconded by Commissioner Murphy.
Motion passed unanimously.

- more -

REPORT OF COMMITTEE ON NAVIGATION AND PILOTAGE

Commissioner Murphy, Chairman of Committee on Navigation and Pilotage, reported on an opinion rendered by Judge Luongo in AFRAN TANSPORT COMPANY, et al.v.S/T MARIA VENIZELOS et al 450 P. Supp. 621 (1978) regarding an accident occurring in the Delaware River on December 26, 1973. Three Pennsylvania licensed pilots were found at fault in varying degrees. After discussion Commissioner Murphy moved to hold a hearing and summon the pilots to appear before the Commission, the motion was seconded by Commissioner Lewis.

Motion defeated, with Commissioners Murphy and Weston voting in favor and Chairman Blankenship, Commissioners Fay and Lewis opposing. (The Chairman voting because of a tie vote.)

The Commission discussed the request of Captain James L. Miller to reduce his first rate pilot license to second rate license. Motion made by Commissioner Fay, seconded by Commissioner Lewis, to grant Captain Miller's request.
Motion passed unanimously.

Discussion concerning proposed regulations for pilots' physical examinations, including the language of the regulations and the specific requirements for the hearing and vision tests. Commissioner Fay moved to table discussion until such time as the new U.S.Coast Guard regulations can be considered; Commissioner Weston seconded the motion. Motion passed unanimously.

Chairman Blankenship asked Commissioner Murphy as Chairman of the Committee on Navigation and Pilotage to:

(1) Obtain U.S.Coast Guard regulations when avaible

(2) Obtain applicable Merchant Marine regulations; and

(3) Circulate to the Commission members his recommendation for physical examinations regulation.

REPORT OF AD HOC COMMITTEE ON APPRENTICESHIP

Chairman Blankenship reported that Commissioner Elliott will chair a meeting relative to the establishment of number of apprentice pilots to be indentured. Meeting will be held in Room 1312, Philadelphia State Office Building on Wednesday, December 20, 1978 convening at 10:00 A.M.

Motion made by Commissioner Fay, seconded by Commissioner Weston, that the Commission act to appoint apprentices at the January 1979 meeting. Counsel again advised the Commission that the statute does not expressly grant the Commission the power and authority to appoint apprentices.
Motion passed, with Commissioners Fay, Lewis and Weston voting in favor and Commissioner Murphy voting in opposition.

No report on Docking Pilots was available at this time.

The next stated meeting of the Navigation Commission for the Delaware River and its Navigable Tributaries will be held on Tuesday, December 12, 1978 at 11 A.M.

There being no further business

ON MOTION: Meeting adjourned.

Respectfully submitted,

Agnes Coya

AGNES COYA
Executive SEcretary
Navigation Commission

ATTENDANCE COMMISSION MEETING NOVEMBER 14, 1978

Charles J. Blankenship, Presiding	Department of Commerce
Elizabeth H. Mai, Counsel	Department of Commerce
Commissioner John Fay	Navigation Commission
Commissioner William T. Lewis	Navigation Commission
Commissioner Daniel I. Murphy	Navigation Commission
Commissioner R. Timothy Weston	Navigation Commission
Agnes Coya, Secretary	Navigation Commission
Captain Joseph W. Guilday, Pres.	Pilots' Association
Captain James L. Miller	Pilots' Association
John Swaim, Esquire	Coinsel for L. Contino

MINUTES
DEPARTMENT OF COMMERCE
NAVIGATION COMMISSION FOR THE DELAWARE RIVER
AND ITS NAVIGABLE TRIBUTARIES

Philadelphia
December 12, 1978

The Stated Meeting of the Navigation Commission for the Delaware River and its Navigable Tributaries was held in Room 1312, Philadelphia State Office Building, Philadelphia, Pennsylvania on Tuesday, December 12, 1978. The meeting was convened by designated Chairman Charles J. Blankenship. A roster of those in attendance is attached.

Motion made by Commissioner Weston, seconded by Commissioner Lewis that the minutes of the previous meeting held on November 14, 1978 be adopted as written.
Motion passed unanimously.

REPORT OF CHAIRMAN

Chairman Blankenship introduced a letter he received from Mr. William H. Burrill, President, State of New Jersey Board of Pilot Commissioners expressing thanks and appreciation for invitation extended by Mr. Blankenship to attend the joint conference held on November 2, 1978 aboard the USS Olympia.

Chairman Blankenship reported that Senator Joseph Smith was reappointed as a member of the Navigation Commission by the Honorable Frank L. Rizzo, Mayor of the City of Philadelphia to a four year term expiring September 6, 1982.

REPORT OF COUNSEL

Elizabeth Mai, Counsel to the Navigation Commission, reported that all persons attending the hearing on the Contino construction permit were notified that the Navigation Commission issued a construction permit to Mr. Contino of 700 Browns Lane, Croydon, Pennsylvania.

REPORT OF THE COMMITTEE ON NAVIGATION AND PILOTAGE

Chairman Blankenship discussed and distributed a summary of the current apprentice pilot applications on file with the Navigation Commission.

Discussion followed regarding appropriate procedures for selecting apprentice pilots. To begin the discussion, Chairman Blankenship distributed a draft of proposed apprentice pilot appointment procedures. There was general agreement that the Commission should adopt qualifications for apprentice pilot applicants and establish a selection process based on specific job-related criteria. In an effort to identify those factors relevant to a pilot's ability to perform successfully, the Commissioners discussed a number of criteria which could be used to evaluate apprentice pilot applicants. Captains Guilday and Ingram, representing the Pilots Association for the Bay and River Delaware, suggested certain qualifications which they felt were pertinent to piloting ability.

REPORT OF COMMITTEE ON NAVIGATION AND PILOTAGE CONT'D

The Ad Hoc Committee will hold a meeting in Room 1312, Philadelphia State Office Building, open to the public, on Wednesday, December 20, 1978 convening at 10:00 A.M. The purpose of said meeting is for determining the number of apprentice pilots to be indentured.

REPORT OF COMMITTEE ON
CONSTRUCTION WHARVES AND DOCKS

Commissioner Weston reported that the General Assembly has adopted and the Governor has signed Senate Bill 1145, the Dam and Safety Act.

Senate Bill 1145 repealed the authority of the Commission to issue construction licenses. However, it does not transfer such authority to DER.

Commissioner Lewis reported that there are no construction permits under consideration at this time.

The next stated meeting of the Navigation Commission for the Delaware River and its Navigable Tributaries will be held on January 9, 1979 at 11:00 A.M.

There Being no Further Business to discuss

ON MOTION: Meeting adjourned.

Respectfully submitted,

AGNES COYA
Executive Secretary
Navigation Commission

ATTENDANCE COMMISSION MEETING DECEMBER 12, 1978

Charles J. Blankenship, Presiding	Department of Commerce
Elizabeth Mai, Counsel	Department of Commerce
Commissioner Richard H. Elliott	Navigation Commission
Commissioner William T. Lewis	Navigation Commission
Commissioner R. Timothy Weston	Navigation Commission
Captain Joseph W. Guilday	Pilots' Association
Captain William T. Ingram	Pilots' Association
Agnes Coya, Secretary	Navigation Commission